

WHAT WE OWE TO THE GLOBAL POOR:
A DISCUSSION OF THOMAS POGGE'S VIEW

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A THESIS SUBMITTED FOR THE DEGREE OF

MASTER OF ARTS

THE DEPARTMENT OF PHILOSOPHY

NATIONAL UNIVERSITY OF SINGAPORE

2011

Acknowledgements

This thesis would not have been possible without the help and support of many wonderful people. I would like to thank Siegfried Van Duffel for the conversation that led me to write this very thesis. I am especially indebted to my supervisor, Professor Ten Chin Liew, for his invaluable comments and insights on my work, his extraordinary positivity, as well as his unflagging support and guidance throughout.

I am also most grateful to all my friends, who have been family to me in these years. In particular, I would like to thank Alex Serrenti, Anjana Supramaniam, Anu Selva, Ben Blumson, Christopher Brown, He Sujin, Jacob Mok, John Paul Foenander, Krystal Gebbie, Lim Chong Ming, Neko the Cat, Poncho Ferguson, Sagar Sanyal, Shaun Oon, the Shih family, Stephanie Lee, Tan Wee Kwang and Yuen Ming De. Your suggestions, advice, cautions and unbeatable company helped me find my way, and gave me the courage to walk down some blind alleys. I thank you for the good times, and hope that our spirited debates and banter about everything and anything big and small will keep up regardless of whichever path we each choose to go down.

Above all, and as always, I extend my biggest thanks to two very important individuals in my life: my mother, to whom I owe pretty much everything to, and my loving husband, Andrew Shih.

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Abstract

Giving to the global poor is widely considered supererogatory. But is this all that morality demands of us? In this thesis, I explore the extent of our moral responsibility to the global poor, as framed in terms of Thomas Pogge's argument. I defend Pogge's thesis—that affluent individuals are morally responsible for global poverty because they have partly caused it—against a number of important criticisms. While I show these objections to be largely unsuccessful, I suggest that they nevertheless point us to the limits of what Pogge can claim. I argue that Pogge does not succeed in establishing the strong conclusions that he draws about the extent of our moral obligations to the global poor. In concluding, I defend a more nuanced account of moral responsibility than the one Pogge offers.

Introduction

The sheer numbers of people in this world who live in severe and life-threatening poverty are both astonishing and depressing at once. According to the World Bank's statistical data, a staggering 2.8 billion or 46% of the world's population subsist on less than US\$2 per person per day.¹ Such an existence of severe deprivation is, to those of us who live in the affluent world, simply inconceivable.

To be sure, many in the developed world have heard of the problem of global poverty. But relatively few know, or perhaps care to know, of the magnitude of the problem. The extent of poverty in the world is such that millions live each day without the basic necessities that we in the affluent world take for granted—such as clean water, electricity, shelter and basic sanitation. The facts are telling: An estimated 1.1 billion people lack access to safe water, 2.6 billion lack access to basic sanitation, 1 billion lack adequate shelter and 1.6 billion lack electricity. Each year, as many as 18 million people die prematurely as a result of easily preventable and treatable diseases like tuberculosis, pneumonia and diarrhoea. These deaths, which account for a third of all human deaths each year, are poverty-related and occur almost entirely in the world's poorest countries.²

These figures are troubling. On their own, they underscore the gravity and the urgency of the problem. But in light of the kind of wealth enjoyed by the world's upper stratum, these figures speak of how surely there is something very morally troubling about the way the world is. The fact is that, in 2004, the bottom 2.5 billion of the poorest people on earth together accounted for only about 1.67 percent of the total household consumption expenditure, while the top 1 billion of the high-income earners

¹ Thomas Pogge, *World Poverty and Human Rights: Cosmopolitan Responsibilities and Reforms*, 2nd ed. (Malden, MA: Blackwell, 2002), 2.

² Ibid.

together accounted for 81 percent.³ With global inequality as vast as this, it appears that the wealthiest one tenth of the human population could abolish severe poverty at minimal cost to themselves. Thomas Pogge puts the figure of negating the aggregate shortfall of the world's poor at a mere one percent reduction in the aggregate annual gross national income of high-income economies.⁴ While it is common for many people to drive the conclusion that the eradication of poverty will put such immense resource strains on the affluent that it will ineluctably impoverish and jeopardize affluent states, these figures point to the error of thinking so.⁵

The empirical data presented by Thomas Pogge in his book *World Poverty and Human Rights* suggests that poverty eradication is feasible, at least as far as economic resources are concerned. Given this, one might wonder why it is that the severe deprivations of a third of humanity nevertheless persists alongside the excesses and wealth of so many privileged others. While the global poor live each day in desperate need of food, shelter and basic medical treatment, we affluent individuals preoccupy ourselves with keeping up with the latest technology and fashion, while driving around in cars and living in comfortable apartments. The persistence of extensive and severe poverty in the world despite the relative affluence of others is something that demands some explanation.

³ Pogge, *World Poverty and Human Rights*, 104-5.

⁴ *Ibid.*, 10.

⁵ As Pogge notes, Hirschman's jeopardy thesis, which holds that world poverty is so massive a problem that its eradication will be at a cost that rich societies cannot bear, is a widely-shared assumption. Richard Rorty, for example, has voiced doubts to this effect, as when he made the claim that "a politically feasible project of egalitarian redistribution of wealth requires there to be enough money around to insure that, after the redistribution, the rich will still be able to recognize themselves – will still think their lives worth living." Albert O. Hirschman, *The Rhetoric of Reaction: Perversity, Futility, Jeopardy* (Cambridge, MA: Harvard University Press, 1999) and Richard Rorty, "Who are We? Moral Universalism and Economic Triage," *Diogenes* 173 (1996): 14-15, quoted in Pogge, *World Poverty and Human Rights*, 9.

One possible explanation for this huge disparity between the poor and us, I suggest, is that we do not find poverty's eradication morally compelling. Given that needs are urgent and the means to meet them are available to us, what is lacking, it seems, is a collective moral and political will to do more for the poor. Whatever the figures and whatever the numbers indicating the extent of global poverty, many people simply will not do more to help the global poor if they do not think they have any strong moral obligations to do so.

But why is this so? As Thomas Pogge, I think, rightly notes, it is a common assumption amongst most people that our obligations to help the global poor are fairly weak and minimal. This belief is based on two assumptions. The first is the widely-held intuition that we have strong moral obligations to the global poor only if we are the cause of their plight, but not if we merely fail to eradicate the harms which we have no part in causing. The second is the assumption is that we, as affluent individuals, play no part in bringing about global poverty. With these two assumptions, we conclude that we have no strong moral obligations whatsoever to help the global poor, and that our obligations to help them extend only as far as (occasional) charity goes.

But is this really all that morality demands of us? Given the magnitude of the problem of global poverty, it is important that we take seriously questions about where responsibility for eradicating world poverty lies, and whether the responsibility lies with us. The aim of this thesis is to consider the question of whether, as relatively affluent individuals, we are morally responsible for the massive poverty that persists in many parts of the world, and if so, to what extent we are thus responsible. In this thesis, I will do this by way of looking at the arguments put forward by Thomas Pogge in his book *World Poverty and Human Rights*.

The central idea that Pogge develops and defends in *World Poverty and Human Rights* is the rather controversial one that we, the relatively affluent in the world, are actively responsible for world poverty given that we are, in no small way, the cause of it. His thesis rests on the defense of two main claims:⁶

- (1) There is a global institutional order that is imposed by the affluent on the global poor that foreseeably and avoidably engenders severe poverty in the world in a significant way.
- (2) Affluent individuals have negative duties not to harm others and they violate this negative duty when they participate in and benefit from a global institutional order that foreseeably and avoidably engenders severe poverty in the world.

In this paper, I seek only to examine and discuss the latter claim. An investigation into the factual basis of the former, while an important and worthy task, will take us too far afield and beyond the scope of this paper. It is my intention, therefore, to leave aside questions about the truth of Pogge's empirical claim concerning the global causes of world poverty and to focus instead on exploring the moral implications that follow from it *if* it were true. Specifically, the question that this thesis is concerned with is as follows: *if* it is, as Pogge argues, the case that the global institutional order inflicts foreseeable and avoidable harms on the global poor, to what extent can affluent individuals be said to have violated their negative duty not to harm and so be held morally responsible for eradicating global poverty? In pursuit of this, I shall examine Pogge's argument that affluent individuals are morally responsible for

⁶ This argument that I present here is based on Pogge's institutional approach to the problem. As will be discussed later on in this thesis, Pogge offers three different strands of argument in support of his thesis: the Lockean state-of-nature approach, the historical injustices approach, and the institutional approach. My critique and analysis of Pogge's argument is based only the last of these approaches, i.e. the institutional approach.

global poverty because and to the extent that they are participants in an unjust global order.

One objection that can be brought to bear upon Pogge's claim that affluent individuals are morally responsible for global poverty is the skeptical view of Rüdiger Bittner, who writes that

[world poverty] is an outcome of what a large number of people did, and in doing what they do, these people may be pursuing the same or different, even opposite ends, or indeed ends unrelated to each other. Moreover, none of the actors involved overlooks their whole interplay. The outcome, therefore, is not clearly anybody's doing in particular. They did something together, that is true, but neither *collectively* nor *individually* were they master over what emerged.⁷

According to Bittner, global poverty is not a moral problem but a wholly political one.⁸ World poverty, he argues, is not imputable to anyone. While the actions and decisions of many affluent individuals across the world may, together, result in substantial harms to the global poor, he claims that these harms can neither be imputed to affluent individuals considered as a collective nor as individuals.

What Bittner says here is not directed specifically at Pogge's argument. However, his objection is a general one that all arguments attempting to defend moral responsibility for global poverty must overcome. In this thesis, I bring Bittner's general objection to bear upon Pogge's position as an important objection. Having done so, I go on to provide a defense of Pogge's position. My defense of Pogge does not go all the way, however. For even though I show Bittner's objection to be unsuccessful, I argue that it nevertheless points us to the limits of what Pogge can claim about the extent of our moral obligations to the global poor.

⁷ Rüdiger Bittner, "Morality and World Hunger," *Metaphilosophy* 31, no. 1/2 (2001): 30, emphasis mine.

⁸ *Ibid.*, 27.

1 An Overview

I begin by contextualizing Pogge's argument in the current philosophical discourse on global poverty by contrasting his approach with the most prominent of approaches on this issue—that of Peter Singer's. I do this, in Chapter One, by bringing into question the foundational assumptions that underlie our inaction in doing more than we presently do for the global poor. I also explore the ways in which Peter Singer and Thomas Pogge have both attempted to challenge these commonly held assumptions. In a critical discussion of how Pogge's approach compares with that of Singer's, I examine how Pogge's approach is arguably the more promising of the two approaches insofar as it avoids some of the difficulties that Singer's approach faces.

In Chapter Two, I set out a detailed exposition of the argument that Pogge advances in his book *World Poverty and Human Rights*. Paying particular attention to Pogge's institutional approach to the problem, I consider how Pogge argues for the thesis that affluent individuals are violating their negative duty not to harm others by imposing upon the global poor an unjust global institutional order that foreseeably and avoidably produces poverty.

In Chapter Three, I consider Bittner's objection that it is untenable to attribute moral responsibility for global poverty to any individual because world poverty is a non-imputable situation, whether viewed in terms of *collective* or *individual* responsibility. Drawing from the various objections of critics of Pogge's position, I develop Bittner's general objection as an objection to Pogge's thesis, as follows: Understood *collectively*, it might be objected that insofar as affluent individuals do not act in pursuit of a common end, they do not constitute a collective and so can in no way be said to act collectively to cause harm to the poor. Understood *individually*, it might be objected that insofar as affluent individuals (i) make no marginal

contributions as individual agents to harming the poor, (ii) fail to meet the criteria of sufficient agency when acting in the context of the global order, and (iii) act with no intention of harming the global poor, they cannot be said to *individually* harm the global poor in a morally problematic way and so cannot be held morally responsible.

If these two sets of objections that I consider are valid and it is shown that affluent individuals cannot—*either individually or collectively*—be said to harm the global poor in a way that renders them morally responsible, then Pogge’s conclusion that affluent individuals violate their negative duty not to harm the global poor by participating in the global order must be rejected. If it can be shown, however, that affluent individuals can be said to harm the global poor—*either individually or as a collective*—then Pogge’s conclusion stands. In Chapter Four, I challenge the claim that affluent individuals cannot be said to *individually* harm the global poor. Since only one of the two sets of objections need to be refuted in order to defend Pogge’s conclusion, I contend that Pogge’s argument is, in fact, defensible against Bittner’s objection.

I conclude, in Chapter Five, with a discussion of the implications of my defense of Pogge on his overall conclusions. In this final chapter, I argue that what Pogge can claim about the extent of our moral obligations to the global poor is more limited than he claims it is, for two reasons. First, while Pogge is right in saying that we violate our negative duties insofar as we *contribute* to harming the global poor, he is mistaken in claiming that we violate our negative duties insofar as we *benefit* from the harms of the global poor without compensation. Second, Pogge is wrong to think that we are morally responsible for global poverty simply by virtue of our uncompensated contributions to the existing unjust global order. For, as I argue, not every instance of contributing to the harms suffered by the global poor renders us morally responsible. In view of both these considerations, I argue that Pogge is wrong to claim that *all* affluent

individuals who *participate in* and *benefit from* the ongoing unjust global institutional order have moral responsibility to eradicate poverty. This thesis thus concludes by proposing a more nuanced account of moral responsibility than the one Pogge provides.

2 Clarifying Some Key Concepts

Before I plunge into a full-fledged discussion of the issue at hand, it would be helpful to first clarify some of the key concepts on which this project's inquiry rests. In this section, I clarify the ways in which the terms *poverty*, *the global poor*, *affluent individuals* and *the global institutional order*, as employed in this thesis, are to be understood.

Poverty and the Global Poor

While poverty is commonly understood as the condition of being poor, or of being lacking in money and material possessions, the problem with poverty is more than just that. Poverty brings with it a whole host of other problems: it renders people vulnerable to many related ills, including hunger and malnutrition, disease, homelessness, premature death, illiteracy, political powerlessness and social disempowerment.⁹ In this thesis, poverty will be understood as the lack of secure access to the resources necessary in providing a measure of protection against these problems. Since most people would agree that a minimally decent life is one that is free of these problems, poverty, as understood in this thesis, may thus be defined as *the lack of secure access to the basic resources necessary for living a minimally decent*

⁹ Abigail Gosselin, *Global Poverty and Individual Responsibility* (Lanham, MD: Lexington, 2009), 2.

life. Following Pogge, I take *resources* to refer to the goods that people need in order to survive or thrive, including goods such as nutritious food, clean water, basic clothing and shelter, education and healthcare.¹⁰

With *poverty* defined, we have, then, also a definition of *the global poor*. The global poor that I refer to in this thesis are characterized by their absolute poverty as well as by their relative poverty. In absolute terms, *the global poor* are those who lack secure access to the basic resources necessary for living a minimally decent life. In relative terms, *the global poor* are those who are very much worse off, in terms of secure access to basic resources, than affluent individuals living in developed countries.

Affluent Individuals

Since the main concern of this thesis is with the responsibility that affluent individuals have towards the global poor, it is important to clarify what I mean by the term *affluent individual*. Following Pogge, what constitutes affluence in my use of the term *affluent individual* is both absolute as well as relative to my use of the term *global poor*. In absolute terms, I consider as affluent the group of individuals who enjoy secure access to the resources necessary for a minimally decent life, regardless of whether there are others who lack access to these necessary resources. In relative terms, I consider as affluent the group of individuals who are significantly better off than others in terms of secure access to the resources necessary for a minimally decent life.

Defined as such, the middle-class in most first-world developed nations fall squarely in this class of individuals whom I refer to as affluent individuals; others

¹⁰ Gosselin, *Global Poverty and Individual Responsibility*, 55.

similarly situated in other parts of the world, including the wealthy elites of poor developing countries, would also be considered affluent.¹¹

The Global Institutional Order

Thomas Pogge does not specify what he means by *the global institutional order* that he claims is perpetuating global poverty in the world. However, he does write that “[i]nstitutions govern the interactions between individuals and collective agents, and they also structure the access that agents have to material resources.”¹² From this it is clear that Pogge adopts the Rawlsian understanding of *institution*. So following John Rawls, I take the term *institution* as used by Pogge, to mean “a social practice, set of rules, or other structure that serves as a backdrop for what actions agents are able or expected to take, providing a system of rewards and punishments that create expectations for behavior and penalties or failing to meet expectations.”¹³ Understood in this way, institutions have a normative function. They are capable of being designed and changed in ways that make it more or less just, according to the ways that they govern individual actions.¹⁴ A clearer idea of what Pogge means by the global institutional order will be articulated in my discussion of Pogge’s argument in Chapter Two of this thesis.

¹¹ Pogge writes, “The question is not: What are we doing to the poorer countries? The crucial question is: What are we and the rulers and elites of the less developed countries, together, doing to their impoverished populations?” See Pogge, *World Poverty and Human Rights*, 30.

¹² Thomas Pogge, “Human Flourishing and Universal Justice,” *Social Philosophy and Policy* 16, no. 1 (Winter 1999): 337; Thomas W. Pogge, “Three Problems with Contractarian-Consequentialist Ways of Assessing Social Institutions,” *Social Philosophy and Policy* (Summer 1995): 241.

¹³ John Rawls, *A Theory of Justice*, revised ed. (Cambridge, MA: Belknap Press, 1999), 47-52; J.L.Mackie, *Ethics: Inventing Right and Wrong* (New York: Penguin Books, 1977): 80-82, as cited in Gosselin, *Global Poverty and Individual Responsibility*, 120.

¹⁴ Gosselin, *Global Poverty and Individual Responsibility*, 120-121.

1 Contextualizing Pogge

Introduction

The issue of global poverty stands as one of the most urgent ethical issues of our time. It is important, in thinking about our moral stake in global poverty, that we articulate and evaluate our widely held assumptions about our moral obligations to the global poor to see how well they stand up to critical reflection. As I have noted earlier, the belief that we, affluent individuals, have no strong moral obligations to help the global poor, seems to rest on two widely held assumptions. The first is the moral intuition that we have no strong moral obligations to help others unless we have played a part in causing them harm. The second is the assumption that global poverty is a problem that has little to do with us. But are we right to think that we are not morally responsible for the global poor on the basis of the assumption that we have no strong obligations to those whom we have not harmed? How are we related to the world's poor? Are we, as most people assume, mere innocent bystanders of the plight of the poor, or are we in fact connected to the issue and implicated in causing their suffering?

There are two ways of responding to the foregoing belief that we have no strong obligations to do more than we presently do for the global poor. The first is to undermine the former assumption, that is, the moral intuition that we have no strong moral obligations to those who are in need but whom we have not harmed. This is the approach of Peter Singer, who argues that our duties to help those in need are no less stringent than our duties to redress whatever harms we have caused. The second way is to accept the former intuition, but to challenge the latter assumption that we are mere innocent bystanders of the plight of the poor. This is the approach taken by Thomas Pogge, who argues that we are morally responsible for the global poor insofar as we violate our negative duty not to harm them.

In what follows, I shall outline the arguments of Peter Singer and Thomas Pogge, thereby examining the ways that they have challenged the basis of the two foregoing assumptions. In a broad comparison of the two approaches, I suggest that Pogge's approach is arguably the better of the two because it avoids some of the difficulties that Singer's approach faces.

1.1 Distinctions in Duties: Negative and Positive

Before I engage in the task of comparing Singer and Pogge, let me begin my discussion with an analysis of some starting assumptions about positive and negative duties. This is an interesting and important point to begin with, if only because noting the distinction between the two kinds of duties is crucial in helping us understand an important difference between Singer's and Pogge's approaches, as well as in understanding Pogge's reasons for invoking only negative duties in his argument. Because the distinction between positive and negative duties is controversial and has been drawn in various ways, it would be helpful to begin by clarifying the distinction and the two accounts of duty based on this distinction.

Negative duties refer to duties to ensure that others are not unduly harmed or wronged through one's conduct. The negative account of duty justifies duties of two kinds. One, agents have duties of *forbearance*, that is, duties that involve refraining from wrongfully harming others. For example, we each have a *negative duty* not to harm others by exercising reasonable care in driving so as not to put pedestrians and other drivers at risk of being harmed. Such duties are agent-neutral, in that they are universal in scope, held by all agents and directed at everyone. They can be fulfilled

either by refraining from certain actions or simply by omission.¹⁵

Two, agents have duties of *redress* to rectify whatever wrongful harms they might have caused others. So, suppose I drive recklessly and injure a pedestrian crossing the road. I have duties of redress to compensate him for the harms I have caused him by, say, paying for his medical bills. Duties of redress are agent-relative, in that they apply to those particular agents who have wrongfully harmed others, and are directed to those specific others whom those particular agents have harmed.¹⁶ Unlike duties of forbearance, duties of redress oblige action on the part of the agent. Negative duties can thus generate positive duties, as when duties of redress come into the picture.

It is also widely accepted as part of one's negative duties that we each also have what Pogge calls *intermediate duties* to avert harms that one's past conduct may cause in the future.¹⁷ Suppose again that I drive recklessly and run over a pedestrian crossing the road. The pedestrian is seriously injured and would die if no one sends him to the hospital immediately. In a situation such as this, I have intermediate duties to rush the injured pedestrian to the hospital to seek medical treatment, so as to avert, as much as is possible, the harms that my bad conduct (of reckless driving) might cause the pedestrian in the near future.

Positive duties refer to duties to benefit or assist others that are in positions worse-off than ours. The bearer of responsibility on the positive account of duty is the agent with the ability to increase the well-being of others, and it is on account of this ability that she has responsibility. Duties of beneficence are, like duties of forbearance,

¹⁵ Abigail Gosselin, "Global Poverty and Responsibility: Identifying the Duty-Bearers of Human Rights," *Human Rights Review* (Oct–Dec 2006): 37.

¹⁶ *Ibid.*, 36.

¹⁷ Thomas Pogge, "Real World Justice," *The Journal of Ethics* 9, no. 1/2 (2005): 35.

agent-neutral and so apply universally to all agents.¹⁸ However, unlike duties of forbearance, they can be fulfilled only by positive action or active involvement on the part of the agent. The positive account of duty entails that agents each have duties of *beneficence* to help or benefit others who are in situations that are worse-off than theirs, even if the situation is not the result of harms brought about by them. So, for example, I have a positive duty to help a pedestrian who is bleeding badly from a road accident should I come across one, even if I was not the one responsible for injuring the pedestrian in the first place.

Having clarified this conventional distinction in duties, let me now briefly explicate the views of advocates of negative duty and of positive duty respectively. Those who argue that we are bound only by negative duties hold the view that we have obligations to others only if we are responsible for the harms that they suffer. Negative duty theorists (notably libertarians such as Robert Nozick¹⁹) are among those who deny obligations to benefit others whom we have not directly harmed. Advocates of positive duty, on the other hand, accept obligations generated from both negative as well as positive duties. Unlike negative-duty theorists, positive-duty theorists (notably Peter Singer, Peter Unger and Henry Shue²⁰) consider duties to benefit others in need to be *no less stringent* than negative duties of forbearance and redress. Since, for the positive-duty theorist, one's duty to help a stranger in need is *as stringent as* one's duty not to harm a stranger, the positive-negative duty distinction is, on the positive account of duty, *not* a morally significant one.

There is a third camp that belongs to neither of these two views, and that

¹⁸ Gosselin, *Global Poverty and Individual Responsibility*, 68-69.

¹⁹ Robert Nozick, *Anarchy, State, and Utopia* (New York: Basic Books, 1974).

²⁰ Peter Singer, "Famine, Affluence and Morality," *Philosophy and Public Affairs* 1 (1972): 229-243; Henry Shue, *Basic Rights: Subsistence, Affluence, and U.S. Foreign Policy* (Princeton: Princeton University Press, 1980); and Peter Unger, *Living High and Letting Die: Our Illusion of Innocence* (Oxford: Oxford University Press, 1999).

represents the view of most ordinary folks. Most people accept obligations generated from both negative as well as positive duties, while maintaining the positive-negative duty distinction as a morally significant one. They accept that we have positive duties of beneficence to help others worse off than us, but take these positive duties to be less stringent than negative ones.²¹ So, returning to the example, both the driver and the passerby have duties to help the injured pedestrian. However, the driver has a greater duty to help the injured pedestrian than the passerby does, because his negative duties of redress are viewed as more stringent than the passerby's positive ones to give aid.

1.2 Overview of Singer's and Pogge's Arguments

Singer's Argument

Keeping in mind this distinction that cuts across negative and positive duties, we can now turn to the arguments put forward by Peter Singer and Thomas Pogge. Let me begin with Singer's argument, which invokes positive duties of beneficence and rejects the intuition that we have no strong moral obligations to those who are in need but whom we have not harmed.

In his seminal paper "Famine, Affluence, and Morality," Peter Singer famously argues that we are wrong to think that giving to the poor is supererogatory.²² Singer argues that it is a matter of moral obligation that the affluent give up a considerable part of their wealth to the severely poor, and that to fail to do so is to fail to lead "a

²¹ Pogge notes that the claim that negative duties are more stringent than positive duties is "a very weak assumption, accepted not merely by libertarians but by pretty much all, except act-consequentialists." See Pogge, "Real World Justice," 34.

²² Singer, "Famine, Affluence, and Morality," 229-243.

morally decent life.”²³ He makes this point by way of the following example: Imagine that on your way to giving a lecture, you walk past a pond where a child is in danger of drowning. You know that the pond is shallow and that you could easily wade in to rescue the drowning child. However, doing so would be at the cost of muddying your clothes. Singer points out that, caught in a situation like this, it would be morally monstrous of you to allow these minor considerations to count against the decision to save the child’s life.

Singer goes on to argue that just as one should jump into a shallow pond to save a drowning child’s life since one stands to do much at little cost to oneself, for the same reasons, we should, as affluent individuals, donate generously to give aid to the global poor. For given our relative affluence compared to the global poor, there is clearly much that we can do to alleviate the sufferings of the poor without having to sacrifice anything of comparable moral importance.

Singer’s conclusion can be derived from what he takes to be two uncontroversial premises. First, suffering and death from lack of food, shelter and medical care are bad. Second, if it is in our power to prevent something bad from happening, without thereby sacrificing anything of comparable moral importance, we ought, morally, to do it. This obligation, argues Singer, should neither be diminished by the physical distance between the rich and poor, nor by the fact that there are many others who are similarly positioned to help. With this argument, Singer concludes that affluent individuals have strong obligations to give up a considerably large part of their wealth to help eradicate poverty.²⁴

²³ Peter Singer, “The Singer Solution to World Poverty,” *New York Times Magazine*, September 5, 1999, 60-63, in Singer, *Writings on an Ethical Life* (New York: Ecco Press, 2000), 124.

²⁴ Singer, “Famine, Affluence, and Morality,” 107-8.

Pogge's Argument

In contrast to Singer, who conceives of our obligations to the global poor in terms of the positive account of duty, Pogge conceives of our obligations in terms of negative duties. Pogge's central thesis is that we affluent individuals in the developed countries are responsible for global poverty insofar as we have, at least in part, caused it. His argument in support of this thesis rests on the defense of two main claims. The first claim is that we affluent individuals are imposing on the global poor a global institutional order that foreseeably and avoidably engenders severe poverty in the world in a significant way. According to Pogge, global institutions such as the IMF, the WTO, and the World Bank, as well as global rules of interaction such as property rights protection, tariffs on developing country imports, arms sales, and subsidies to domestic agriculture, etc., "foreseeably [give] rise to a greater underfulfillment of human rights than would be reasonably avoidable."²⁵ The second claim is that we each have negative duties not to harm others, and by participating in and upholding an unjust global institutional order that is shaped in the interests of the world's affluent at the expense of the world's poor, we are harming the global poor and so violating our negative duty. Given these two central claims, Pogge concludes that we have moral obligations, based on duties of redress, to either put an end to the harms that we cause the global poor, or else compensate the victims for the harms caused.²⁶

1.3 A Broad Comparison of the Two

Having provided a brief overview of the arguments made by both Singer and Pogge, I turn now to the task of engaging both approaches in a broad comparison.

²⁵ Pogge, "Real World Justice," 45.

²⁶ Pogge, *World Poverty and Human Rights*, 56.

Comparing and contrasting the two, I do not attempt to offer an exhaustive account of the differences between them. I seek only to defend Pogge's approach as the more promising of the two insofar as his approach avoids some of the difficulties that Singer's approach faces. I discuss three such difficulties.

The first concerns Singer's failure to capture the common intuition that there is a morally significant distinction between positive and negative duties. As I have noted in Chapter 1.1, we generally think that we have stronger duties not to harm others than we do to give aid to protect and benefit others. As an example, suppose that, as an owner of a chemical plant, I release toxic wastewater into a nearby river, thereby causing those who live nearby to fall ill and die from mercury poisoning. In such a situation, I think most people would say that because I was the main culprit behind the harms inflicted, I have stronger moral obligations than others, who did nothing to cause the pollution, to remedy the problem. The intuition that underlies this judgment, it seems, is the intuition that negative duties not to harm are more stringent than positive duties to give aid.

If I am right about this, then it seems that Singer's argument does not fit well with the common intuition. For, as discussed in Chapter 1.2, Singer's argument rests on our accepting that positive duties are *no less stringent* than negative duties not to harm. In failing to take seriously the conventional distinction between the two kinds of duties, Singer's argument goes against the strong moral intuition held by most people that the distinction is a morally relevant one.

Unlike Singer, Pogge does not reject the widely-shared intuition that positive duties are not as stringent as negative duties. Instead, Pogge's strategy is to show that one need not support the principle of beneficence (as Singer's recipient-oriented approach requires of us) in order to justify obligations to the global poor. He does this

by way of undermining the factual basis for thinking that we are not substantial contributors to the widespread and life-threatening poverty abroad, and then arguing that we have responsibilities to the global poor on account of our negative duties of redress. By invoking only negative duties in his arguments, Pogge appeals to the common intuition that gives priority to negative duties over positive ones.

To be sure, it does not follow from the fact that an argument coincides with a commonly held intuition that it is therefore the better one. However, even as I maintain an agnostic position on the question of whether the negative-positive duty distinction is a morally significant one, I can nevertheless agree with Pogge that the stronger model of responsibility is the one that is more widely convincing and more broadly accepted. By invoking the more stringent negative duties in his argument, Pogge provides those who hold the view that negative duties are more stringent than positive duties (which, according to Pogge, includes most people except act-consequentialists) with stronger reason to act on poverty eradication than do positive theorists like Singer, who appeal only to positive duties of beneficence. Given the broad sharability of the view that negative duties are more stringent than positive duties, most people will find arguments that appeal to the force of negative duties more compelling and more forceful than arguments that appeal only to positive duties. Thus I argue that Pogge's approach is more promising than Singer's insofar as it fits well with the common intuition and is, for that reason, more compelling and more widely-convincing.

The second difficulty faced by Singer's approach has to do with its failure to take into account libertarian concerns. As discussed in Chapter 1.1, positive duties that prescribe actions to benefit others generally involve active intervention, and are usually considered to be more controversial than negative duties, which merely prohibit certain actions and so act as side constraints to actions. For the libertarian who takes negative

duties as fundamental and denies positive duties to aid altogether, Singer's approach, which appeals to positive duties, is unpersuasive.

Unlike Singer, whose approach is persuasive only to those who accept that we each have positive duties to protect and give aid, Pogge does away with positive duties in his arguments and so appeals to a wider range of audiences, including those of a libertarian bent. Pogge redefines the debate on global poverty by arguing for how the affluent individual's responsibility for world poverty can fit within the libertarian framework. By leaving aside all talk of positive duties in his argument, Pogge makes compatible his approach with the libertarian framework.

In leaving aside positive duties in his argument, it is worth noting that Pogge is *not* defending the libertarian position that there are only negative duties and rejecting the idea that we have positive duties to assist the poor. Pogge is merely avoiding claims about positive duties so that his case does not rest on belief in positive duties.²⁷ His invoking of only negative and intermediate duties allows him to appeal to a wider range of audiences with different political conceptions and so puts him at an argumentative advantage over Singer, whose recipient-oriented approach invokes the more controversial positive duties to aid.

The third difficulty that Singer's approach faces is that of meeting criticisms concerning its overdemandingness. Singer's approach has been roundly criticised for the fact that his theory yields results that are overly demanding. If Singer is right in his argument, then what we have before us is a very strong principle of obligatory beneficence. By his mode of reasoning, because very few things are as morally important as saving life, most of our material acquisitions and pursuits are but luxuries

²⁷ As Pogge himself points out, his argument "can and is meant to reach those who discard as phony or feeble all positive duties to aid and protect the vulnerable." See Thomas Pogge, "Reply to Critics: Severe Poverty as a Violation of Negative Duties," *Ethics & International Affairs* 19, no. 1 (2005): 61.

of little or no moral significance. Given its utilitarian basis, Singer's theory demands that we should donate to the global poor, up to the point where any further giving generates significant morally relevant costs to our own lives, that is to say, where any further giving makes us worse off than those whom we are helping. The objection against Singer, therefore, is that his theory sets an overly demanding standard of morality to be practicable.

Practically speaking, however, Singer suggests that we should place an upper limit on what we give, so that we do not lower our own level of affluence so much as to render ourselves incapable of sustaining efforts to help the needy in the long run. The idea is that if we give too much, we may end up doing more harm than good since not only will we cease to be able to better the situation of others, we might also reduce our own positions to that of being in need. Given this, how much should we give exactly? Singer writes, "The formula is simple: whatever money you're spending on luxuries, not necessities, should be given away."²⁸

In spite of this reformulation, Singer's moral theory nevertheless demands far more than commonsense morality demands of us, and so strikes many as overly demanding. Furthermore, following Bernard Williams' general attack against utilitarianism, Singer's theory may be criticised for making unreasonably high demands on us in its requirement that people make sacrifices that would seriously disrupt their life's projects and plans in order to benefit the less privileged. Singer's demanding principle of beneficence forces us to subordinate all of our own interests

²⁸ Singer, "The Singer Solution," 123.

and projects to those of others, and so may be criticised for failing to respect individual people as worthwhile beings leading worthwhile and important lives.²⁹

Pogge's approach avoids this overdemandingness objection that Singer's argument faces. Unlike Singer, whose focus is on 'the harm that all people suffer,' Pogge's focus is only on 'the harm that we are materially involved in causing.'³⁰ By focusing on the negative duties that we have not to harm others, as opposed to positive duties that we have to protect and aid others, Pogge narrows the scope of our moral obligations and so offers a less morally demanding account of responsibility than does Singer.

The negative account of duty that Pogge invokes in his argument justifies duties of two kinds—duties of *forbearance* and duties of *redress*—both of which are less demanding than the positive duties of beneficence invoked by Singer. Duties of *forbearance* that Pogge invokes are less demanding than positive duties since, unlike positive duties, they do not require active involvement on the part of the agent and can be fulfilled either by omission or by refraining from certain actions. Further, duties of *redress* are less demanding than positive duties because unlike positive duties, which are universal in scope, held by all agents and directed at everyone, duties of redress apply only to those particular agents who have wrongfully harmed others, and are directed only at those whom they have harmed. Hence, by appealing only to negative duties of forbearance and redress in justifying the affluent individual's moral obligations to the global poor, Pogge offers a less morally demanding account of morality than does Singer, and so avoids the overdemandingness objection that Singer's approach is vulnerable to.

²⁹ Bernard Williams and J.J.C. Smart, "Utilitarianism: For and Against (excerpts)," in *Ethics: History, Theory, and Contemporary Issues*, ed. Steven M. Cahn and Peter Markie (New York: Oxford University Press, 2002), 585-601.

³⁰ Pogge, "Real World Justice," 34.

Summary

Whereas Singer's approach runs against common intuitions, is unpersuasive to those of a libertarian bent, and is seen by most as overly demanding, Pogge's approach is otherwise. In light of these considerations, there appears to be good reason to favour Pogge's approach over Singer's. However, one should not be too quick to assume that Pogge's approach is therefore the better of the two. Even though Pogge's approach may be successful where Singer's is not, his approach would be no better if it brings with it its own set of problems. I will, in what follows, attempt to lay any such suspicions to rest by considering a number of important criticisms against Pogge. But before I engage in a critical analysis and defense of Pogge's thesis, a proper exposition of Pogge's argument is in order.

2 Thomas Pogge's Argument

Introduction

The aim of this chapter is to consider in some detail Pogge's argument for the individual's responsibility for world poverty. In what follows, I consider the three different strands of arguments that Pogge puts forth in defense of his conclusion—the Lockean state-of-nature approach, the historical injustices approach and the institutional approach. I will discuss each briefly, explaining how on each baseline, Pogge argues that the prevailing global poverty manifests a violation of our negative duties not to harm the global poor. My focus, however, will be on the final approach—the institutional approach. I will discuss Pogge's argument based on the institutional approach in greater detail than the rest, showing how it justifies the two central claims made by Pogge in support of his final conclusion that the affluent are morally responsible for global poverty.

2.1 Three Baselines

As mentioned in Chapter 1.1, Pogge's argument rests on the basic assumption that we each have negative duties not to harm. In order to establish what our negative duty not to harm entails, we must consider what Pogge's account of harm entails. According to Joel Feinberg, harm is defined broadly as a “thwarting, setting back, or defeating” of an interest, with “interest” defined as something in which a person has a stake.³¹ Since harm is defined in terms of a setting back of an interest, in order to arrive at an account of harm, we must first specify a baseline by which the relevant interest is to be judged as having been set back. Whether we have harmed or benefited the global

³¹ Joel Feinberg, *The Moral Limits of the Criminal Law, Vol. 1: Harm to Others* (New York: Oxford University Press, 1984), 31-51.

poor depends on the baseline that we employ for assessing the magnitudes of harm and benefit that we engender. It is thus crucial that we find the appropriate baseline by which to assess the prevailing state of affairs so as to establish what counts as harming the global poor.

I begin with the baseline that Pogge rejects as the appropriate benchmark for assessing harm to the global poor. One way to understand harm is to take it that a person is harmed when she is rendered worse-off than she was at an earlier time. Pogge, however, rejects such a diachronic understanding of harm as the appropriate benchmark for assessing the prevailing extent of global poverty today. The fact that there is less severe poverty in the world today than there was ten years ago is not morally relevant to the question of whether or not the present global order is harming the poor. For even if it were true that there is not as much poverty today as there was a decade ago, it does not follow that the present global order is therefore benefiting the global poor.

An analogous case to illustrate this point would be that of how we surely would not consider a man who abuses his child regularly to be benefiting his child if he now beats his child less frequently than he usually does. The fact that the father's less frequent beatings is rendering the child a little better off than before does not mean that the child is therefore being *benefited* by his father.³² Similarly, it is possible, even if there is less poverty in the world today, that the present global order is still harming the global poor, albeit at a less alarming rate. For this reason, there is, I think, good reason for Pogge to reject the diachronic understanding of harm as the morally relevant one in our assessment of what counts as harming the global poor.

In seeking a non-arbitrary and appropriate baseline by which the existing state

³² Pogge, *World Poverty and Human Rights*, 23.

of affairs of this world is to be measured against, Pogge considers three baselines: the Lockean state-of-nature baseline, the historical injustices baseline and the institutional baseline. Each of the three baselines that Pogge considers is independent of the others. They work in parallel as separate strands in Pogge's arguments for the same conclusion: that the existing global poverty manifests a violation of the affluent individuals' negative duty not to harm. The fact that they work in parallel means that, even supposing that we reject two of the three approaches, responsibility for global poverty can still be justified on the third approach. Pogge's approach here to demonstrating harm is thus clearly ecumenical. By considering three different accounts of harm defined in terms of three independent baselines in his argument, he provides justification of his conclusion to philosophers of different moral and political conceptions, thereby securing broad support for his arguments. I turn now to the task of briefly outlining these three baselines and explaining how, on each of these baselines, Pogge argues for his conclusions.

2.2 The Lockean State-of-Nature Baseline

The Lockean proviso on acquisition states that persons in a state of nature are subject to the moral constraint that their unilateral appropriations of unowned resources from nature must always leave "enough, and as good" for others.³³ That is to say, in the acquisition of private property, each must be confined to a proportional share of the world's natural resources. The lifting of this enough-and-as-good proviso is subject to a second-order proviso—that all participants *rationally* come to an agreement to change the rules of human coexistence. Since no one would rationally accept a revision

³³ John Locke, "An Essay Concerning The True Original, Extent, and End of Civil Government," (1689) in *John Locke: Two Treatises of Government*, ed. Peter Laslett, (Cambridge: Cambridge University Press, 1960), §27 and §33.

of these rules unless one expects to be better off under a new set of rules, it is only if everyone will be better off under the new rules than anyone would be under the old that the Lockean Proviso may be overridden. Therefore, on the Lockean state-of-nature baseline, a person is harmed if he is not at least as well off as a person would be in a hypothetical Lockean state-of-nature where each enjoys a proportional share of the world's resources.³⁴

Pogge argues that the present institutional order must be said to be harming the global poor when measured against this Lockean baseline. Given that billions are born into the world today deprived of access to resources already owned by others and with only their labour to rent out, Pogge argues that it can hardly be said that the global poor enjoys anything close to a proportionate share of the world's natural resources.³⁵ As such, the Lockean proviso is not met. Furthermore, in light of the radical inequality that exists in the world today, Pogge seriously doubts that the condition for the lifting of the Lockean proviso (the second-order proviso) is met. He thinks that it is unlikely that all are better off under the existing rules of appropriation than anyone would be under the Lockean Proviso. For not only are they deprived of a proportional share in the world's resources, the global poor also have no choice but to suffer the burdens of environmental degradation which are brought about by the affluent's flagrant use of the abundant natural wealth.³⁶

Seeing as how the affluent consume a disproportionately large share of the world's resources unilaterally, without compensation to the global poor, Pogge writes that "citizens and governments of affluent states are violating a negative duty of justice when they, in collaboration with the ruling elites of the poor countries, coercively

³⁴ Pogge, *World Poverty and Human Rights*, 208.

³⁵ *Ibid.*

³⁶ *Ibid.*, 209.

exclude the poor from a proportional share of the world's resources."³⁷ Pogge maintains that, on the Lockean state-of-nature baseline, we in the affluent nations are harming the global poor by taking, without due compensation, a disproportionately large share of the world's resources while failing to leave "enough, and as good" for others. With this argument, Pogge shows how, on the Lockean state-of-nature baseline, the prevailing global poverty manifests a violation of the affluent individuals' negative duties not to harm the global poor.

2.3 The Historical Injustices Baseline

On the historical injustices baseline that Pogge considers, the present economic and institutional order is viewed as harming the global poor if the existing radical inequality in starting positions is the result of past actions and circumstances that were marked by grievous wrongs.³⁸ The thought here, for Pogge, is that radical inequalities that are the products of a morally tarnished history should not be allowed to persist.³⁹ The question of whether affluent individuals are harming the global poor in this case thus involves looking at historical facts about how the gross inequalities in today's standards of living evolved.

Pogge argues that in view of the common and violent history that we share, it is difficult to see how the prevailing radical inequalities in our social starting positions could be justified under any historical entitlement conception of justice. He points out that the world as it is today, with its massive inequalities in social starting positions, was significantly shaped by a violent past that was marked by conquests and colonization which left many native cultures and institutions destroyed by oppression,

³⁷ Pogge, *World Poverty and Human Rights*, 209.

³⁸ *Ibid.*, 209-210.

³⁹ *Ibid.*, 209.

enslavement and even genocide.⁴⁰ Given that the social starting positions of the worse-off and the better-off today are the results of a single historical process pervaded by historical crimes that massively violated moral principles and legal rules, Pogge contends that the immense advantages that we in the affluent world enjoy over others today are gained from unjust means and are therefore unjustified.⁴¹

There are some who might wish to insist that those of us whose ancestors were perpetrators of these historical crimes have some special restitutive responsibility toward the poverty-stricken descendents of the victims of these past crimes.⁴² But this is not Pogge's argument. Rather, Pogge's focus is on the fact that the present generation of affluent individuals are upholding and allowing the prevailing radical inequality to continue. By coercively upholding an inequality that is unjustified insofar as it is dependent on grave injustices in history, Pogge argues that the affluent are violating their negative duty not to harm the global poor. On the historical injustices baseline, therefore, the prevailing global poverty similarly manifests a violation of the affluent individual's negative duties not to harm the global poor.

2.4 The Institutional Baseline

The institutional baseline is based on a consequentialist conception of social justice, against which social institutions are assessed in terms of their effects and the kinds of feasible alternatives that are available.⁴³ On this baseline, we harm the global poor insofar as we collaborate in imposing *unjust* social institutions upon them, where

⁴⁰ Pogge, "Real World Justice," 38.

⁴¹ Pogge, *World Poverty and Human Rights*, 209.

⁴² Ibid.

⁴³ The Rawlsian conception of social justice is one example of a consequentialist conception of social justice, for it "considers a domestic economic order to be just if it produces fair equality of opportunity across social classes and no feasible alternative to it would afford better prospects to the least advantaged." See Pogge, *World Poverty and Human Rights*, 207.

social institutions are considered *unjust* insofar as they foreseeably give rise to avoidable underfulfillment of human rights.⁴⁴ So, in support of the argument based on this institutional approach, Pogge must defend the following two claims:

- (1) There is a global institutional order that is imposed by the affluent on the global poor that foreseeably and avoidably engenders severe poverty in the world in a significant way.
- (2) Affluent individuals have negative duties not to harm others and they violate this negative duty when they participate in and uphold a global institutional order that foreseeably and avoidably engenders severe poverty in the world.

In what follows, I will show how Pogge defends both these claims in support of his conclusion that affluent individuals have moral obligations to help the global poor by means of the institutional approach.

The Empirical Claim

I begin with Pogge's defense of the empirical claim that (1) there is a global institutional order that is imposed by the affluent on the global poor that foreseeably and avoidably engenders severe poverty in the world in a significant way. To justify (1), Pogge must defend several further claims about the world:

- C1. The existing global poverty cannot be traced to extra-social factors (such as genetic handicaps or natural disasters).
- C2. There is a shared institutional order that is shaped by the affluent and imposed on the global poor.

⁴⁴ Pogge, "Real World Justice," 46.

C3. This institutional order is implicated in the reproduction of global poverty in that there is a feasible institutional alternative under which such severe and extensive poverty would not persist.⁴⁵

Pogge maintains that the present world that we live in is characterized by these facts. According to Pogge, the first condition (C1) is met insofar as the global poor can be said to have as much of a chance of leading healthy happy lives had they been born in different social circumstances. He argues that because the root cause of the global poor's plight is their poor social starting positions which deprive them of opportunities to become anything but poor, vulnerable and dependent, this condition is met.⁴⁶

As for the second condition (C2), Pogge writes that "the global poor live within a worldwide states system based on internationally recognized territorial domains, interconnected through a global network of market trade and diplomacy."⁴⁷ He argues that this shared institutional order, which affects the global poor through "investments, loans, trade, bribes, military aid, sex tourism, culture exports, and much else,"⁴⁸ is imposed by the affluent onto the global poor. This is made possible by the vastly superior military and economic strength that the affluent possess over the poor, which allows them to control and shape the rules that structure these international interactions.

A defense of the third condition (C3) involves two main tasks. Pogge must argue, firstly, that the existing global institutional order that we now live in is in fact one that gives rise to human rights deficits. Additionally, he must show that there are feasible alternatives to the existing global institutional order under which the life-

⁴⁵ Pogge, *World Poverty and Human Rights*, 205.

⁴⁶ *Ibid.*, 207.

⁴⁷ *Ibid.*, 205.

⁴⁸ *Ibid.*

threatening poverty that exists under the present institutional order would be wholly or largely avoided.

Meeting the first task involves looking at the causal role of global institutions in the persistence of severe poverty. According to Pogge, global poverty cannot be explained solely by local explanatory factors. He rejects the bias of portraying and taking local factors to completely explain global poverty—what he calls “explanatory nationalism”⁴⁹—and argues that several features of the global institutional order play a significant role in perpetuating poverty. In support of this empirical assertion, Pogge identifies three important features of the global institutional order (D1-D3, below) that go some way in underscoring the causal role that global institutions play in perpetuating global poverty.

D1. The **international borrowing privilege** allows any group holding governmental power in a national territory—regardless of how it acquired or exercises this power—to borrow funds in the name of the whole country. As a consequence of this borrowing privilege, groups in power are in the position of imposing internationally valid legal obligations upon the country at large. What this means is that (a) a country’s full credit might be placed at the disposal of even the most corrupt rulers who might have taken power in a coup and who can further maintain themselves in power through violence and repression, even against near-universal popular opposition, (b) the incentives toward coup attempts and civil war are strengthened, and (c) a country may be saddled with huge debts of its former oppressors. All these undermine the capacity of fledging democratic governments

⁴⁹ For a discussion of explanatory nationalism, see Pogge, *World Poverty and Human Rights*, §5.3, 145-150.

(if any) to effectively restructure and implement reforms,⁵⁰ and so place further barriers to breaking out of the cycle of poverty.

D2. The **international resource privilege** confers upon the group in power effective control over the natural resources of the country, including the power to effect legally valid transfers of ownership rights in such resources. This privilege provides powerful incentives toward coup attempts and civil wars in resource-rich countries,⁵¹ thereby facilitating oppression and poverty in poorer countries.

D3. The governments of more powerful countries also enjoy a “crushing advantage” in **bargaining power and expertise** in international negotiations.

Negotiators of affluent countries exploit this advantage, shaping the global rules in the interests of their own governments, corporations and citizens, at the expense of the global poor. The result of such lopsided negotiations is, Pogge argues, “a grossly unfair global economic order under which the lion’s share of the benefits of the economic growth flows to the most affluent states.”⁵²

These three aspects of the global institutional order contribute substantially to the perpetuation of poverty in less-developed countries. D1 and D2 significantly shape the national policies and kinds of governments that come to power in poor countries for the worse, thereby affecting the overall incidence of poverty in these countries, in particular, the resource-rich ones. D3 exploits the weaknesses, ignorance, and sometimes, corruptibility of the less-developed countries. While the incompetence, corruptibility and tyranny of entrenched local governments in the poorer countries may lie at the heart of the problem of global poverty, Pogge argues that such features of our global institutional order undeniably serve to either facilitate oppression and poverty in

⁵⁰ Pogge, *World Poverty and Human Rights*, 121.

⁵¹ Pogge, *World Poverty and Human Rights*, 119.

⁵² *Ibid.*, 27.

the poorer countries, or else harm the global poor by placing further barriers on poorer populations that are trying to escape poverty.

Meeting the second task involves showing that there are alternatives to the present unjust institutional order. Since Pogge argues that the misery of the worse-off, who are being impoverished and starved under our shared institutional arrangements, is only justified if there were no institutional alternative under which such misery would be avoided,⁵³ he must, in defending the third condition (C3), show that there are feasible alternatives to the existing global institutional order under which the existing levels of poverty would be avoided. He does this by way of proposing what he calls the Global Resources Dividend or GRD proposal. Briefly, this proposal envisions that states and their governments will be required to share a small part of the value of any resource that they decide to use or sell, such that the global poor may be compensated for their inalienable stake in the limited natural resources in this world.⁵⁴ The GRD proposal is thus one example of a reform proposal that realistically supports his claim that there are indeed institutional alternatives to the existing unjust one.

The Institutional Conception of Social Justice

Having shown how Pogge argues in defense of (1), let us turn now to Pogge's defense of (2), the claim that we each have negative duties not to harm others and that we violate this negative duty when we participate in and uphold a global institutional order that foreseeably and avoidably engenders severe poverty in the world.

On the institutional baseline, harm is conceived in terms of an independently specified conception of social justice. If the minimal requirements of such a conception

⁵³ Pogge, *World Poverty and Human Rights*, 207.

⁵⁴ I will not elaborate on the GRD; for a full discussion of the details of the GRD and its rationale and feasibility, see Pogge, *World Poverty and Human Rights*, Chapter 8, 202-221.

of social justice are not met, the given institutional order is considered to be unjustified. Therefore, to draw this baseline, it is necessary to decide on the appropriate conception of social justice to employ. Given that broadly consequentialist theorists may hold significantly different conceptions of social justice (in terms of how they characterize the relevant affected parties, the metric of assessing relevant effects and how to aggregate relevant effects across affected parties, etc.), Pogge's ecumenical answer to this diversity is to specify what he considers is a very minimal condition of justice that is widely accepted.⁵⁵ He does this by way of formulating the core criterion of basic social justice in terms of the broadly accepted language of human rights.

Before I engage in a discussion of the conception of social justice that Pogge employs in making his argument, let me first briefly explicate the *moral* (as opposed to the legal) notion of human rights, as conceived by Pogge. According to Pogge, a commitment to human rights involves recognizing that human persons "with a past or potential future ability to engage in moral conversation and practice have certain basic needs, and that these needs give rise to weighty moral demands."⁵⁶ On Pogge's conception, human rights "express a special class of *moral concerns*, namely ones that are among the most *weighty* of all as well as *unrestricted* and *broadly sharable*."⁵⁷ While Pogge does not provide an exhaustive list of the basic needs that he thinks should enjoy the special standing of human rights, he names several, including "physical integrity, subsistence supplies (of food and drink, clothing, shelter, and basic health care), freedom of movement and action, as well as basic education, and economic participation."⁵⁸

⁵⁵ Pogge, "Real World Justice," 42.

⁵⁶ Pogge, *World Poverty and Human Rights*, 64.

⁵⁷ *Ibid.*, 60.

⁵⁸ *Ibid.*, 49.

Pogge suggests that our understanding of human rights can take on two forms: institutional and interactional. On the more conventional *interactional* understanding of human rights, it is governments and individuals who, as individual agents, bear a responsibility not to violate human rights. On the *institutional* understanding of human rights, however, human rights are conceived in terms of moral claims against coercive social institutions, and therefore, against those involved in the imposition and design of such coercive social institutions. Additionally, human rights on the institutional understanding are conceived in terms of underfulfillment rather than violation. A human right to life is fulfilled for specific persons if and only if their security against certain threats does not fall below certain thresholds.⁵⁹

Pogge proposes that we adopt the latter, interactional understanding of human rights. On this alternative understanding of human rights, the focus is not so much on how individuals bear responsibility for violating the human rights of others; the focus is rather on how affluent individuals bear responsibility for a global institutional order that engenders global poverty in a way that is foreseeable and avoidable. The institutional understanding of human rights has it that the responsibility of governments and individuals is to design and work for an institutional order and public culture that ensures that all members of society have secure access to the objects of their human rights—namely, minimally adequate shares of basic freedoms and participation, of food and drink, clothing, shelter, education and health care, amongst other objects.⁶⁰

It is in terms of this institutional understanding of human rights that Pogge formulates his minimal conception of social justice. Pogge points out that most theorists would agree that a national economic order that leaves social and economic

⁵⁹ Pogge, *World Poverty and Human Rights*, 71.

⁶⁰ *Ibid.*, 54-55.

human rights underfulfilled on a large scale is unjust, if there are feasible alternative orders under which these human rights would be better realized. He further argues that this demand of justice must apply to the global order as well as to domestic institutional arrangements.⁶¹ Given this, Pogge argues that an unjust global institutional order is one that foreseeably reproduces an avoidable human rights deficit, and the minimal requirement of social justice is “that any institutional order must be designed so that, insofar as reasonably possible, the human rights of those on whom it is imposed are fulfilled.”⁶²

Harm, conceived in terms of this independently specified conception of justice, is therefore defined in terms of (i) the underfulfillment of human rights that (ii) is produced by an institutional order that is created and upheld by agents, and that (iii) is foreseeable (in the sense that it foreseeably gives rise to substantial human rights deficits), and (iv) is reasonably avoidable (in the sense that there are alternative institutional orders available and also that these alternatives are foreseeable). According to this baseline, therefore, “you harm others insofar as you make an uncompensated contribution to imposing on them an institutional order that foreseeably produces avoidable human rights deficits.”⁶³

Taking together this account of harm and the negative duty not to harm others, we arrive at the conclusion that **we are under a negative duty not to create or uphold institutions that *foreseeably and avoidably* produce human rights deficits.**

Thus we see how Pogge argues for the central claim that (2) we each have negative duties not to harm others and that, by participating in and upholding a global order that

⁶¹ Pogge’s argument for this is a complex one that I cannot possibly do justice here. For a full discussion, see Pogge, *World Poverty and Human Rights*, Chapter 4, and Thomas Pogge, “The Incoherence between Rawls’s Theories of Justice,” *Fordham Law Review* 72, no. 5 (2004): 1739-1759.

⁶² Pogge, “Real World Justice,” 45-46.

⁶³ Pogge, “Reply to Critics,” 60.

foreseeably and avoidably engenders severe poverty in the world, we violate this negative duty not to harm others.

Summary

I have, in this chapter, discussed the three different approaches that Pogge employs in arguing for the conclusion that by doing nothing to help eradicate poverty, we are violating our negative duty not to harm the global poor. I have focused, in particular, on the last of the three approaches—the institutional approach. According to the institutional approach, the existing poverty in the world can be traced to the effects of certain features of our shared global institutional order. The imposition of such an institutional order by the affluent on the global poor is unjustified given that alternative institutional arrangements are available. On Pogge’s institutional account, we are, as affluent individuals, violating our negative duty not to harm others *because* and *to the extent* that we are upholding a shared institutional order that foreseeably and avoidably engenders a global underfulfillment of basic human rights. Given this, he argues that we are obliged to either *discontinue* our involvement in harming the poor by extricating ourselves from the global institutional system—often not a realistic option—or else *compensate* for these harms done onto the poor by working for institutional reforms or mitigating the harms inflicted on victims.⁶⁴

⁶⁴ Pogge, *World Poverty and Human Rights*, 56.

3 Objections To Pogge

Introduction

Responsibility is typically something that is predicated of agents. Bearing in mind that institutions refer to *the set of social practices that conglomerate collectives engage in* (such as the set of economic practices undertaken by the International Monetary Fund), and not to *the conglomerate collectives themselves that implement these social practices* (such as the International Monetary Fund),⁶⁵ we find that we run into difficulties if we try to locate responsibility for institutional actions in the institutions themselves. This is because institutions, as social rules and practices, lack the agency that is typically required of bearers of responsibility. Insofar as institutions refer to the social relationships that generate social practices, rules and expectations and so are “static conduits” rather than active doers, institutions do not themselves have agency and so cannot have responsibility ascribed to them.⁶⁶

Who, then, should bear responsibility for the harms caused by the global institutional order? Pogge’s answer to this question of where to locate responsibility for the harms of the global institutional order is, as we have seen in Chapter Two, to place the burden of responsibility on those who are centrally involved in shaping, supporting and participating in the global institutional order—affluent individuals. On Pogge’s account, affluent individuals are responsible insofar as they act within the relevant institutions and are capable of designing or changing the institutions in ways such as to respect or violate the basic human rights of the global poor.⁶⁷ While institutions themselves lack the capacity for agency, they comprise agents who perform

⁶⁵ Gosselin, *Global Poverty and Individual Responsibility*, 133.

⁶⁶ Ibid.

⁶⁷ Ibid.

the actions that lead to the structuring of the institutions in those particular ways that make the institution more or less just. Thus, insofar as a global institutional order harms the poor, it is, for Pogge, the individual and collective agents involved in shaping and supporting that institutional order who should be held responsible.⁶⁸

Leaving aside questions about the truth of Pogge's empirical claims about the causal factors of global poverty, my aim in this chapter is to examine whether Pogge is justified in his move of ascribing moral responsibility for global poverty to affluent individuals by way of considering Bittner's objection. As noted in Chapter One, the negative duty not to harm others is a widely accepted duty. Accepting that we have negative duties not to harm others, Pogge claims that by participating in and supporting the existing and ongoing global institutional order, which foreseeably and avoidably engenders severe poverty in the world, the affluent are violating their negative duty not to harm the global poor. This claim admits of two possible readings:

(2a) *Collective Harming*: By participating in and supporting the existing and ongoing global institutional order, which foreseeably and avoidably engenders severe poverty in the world, the affluent violate their negative duty not to *collectively* harm the global poor.

(2b) *Individual Harming*: By participating in and supporting the existing and ongoing global institutional order, which foreseeably and avoidably engenders severe poverty in the world, the affluent violate their negative duty not to *individually* harm the global poor.

While the first reading has it that affluent individuals harm the global poor *as a collective*, the second has it that affluent individuals harm the global poor *as individuals*. In his argument, Pogge does not specify in which of these two senses of

⁶⁸ Pogge, "Real World Justice," 43.

harming—whether individually or collectively—he holds affluent individuals to be harming the global poor. Against Pogge, Bittner objects that affluent individuals cannot be said to harm the poor on both readings. According to Bittner, while it may be true that affluent individuals did something together, “neither *collectively* nor *individually* were they master over what emerged.”⁶⁹

In what follows, I will develop and consider four specific objections in support of Bittner’s point. Arguing along the lines of Bittner’s more general objection, I show how it might be argued that affluent individuals can neither be said to harm the global poor *collectively* nor *individually*. Against the first reading, I suggest the objection that affluent individuals cannot be said to *collectively* harm the global poor insofar as they do not constitute a collective. Against the second reading, I suggest three possible objections: The first is an objection based on the contribution principle, the second is an objection based on the criteria of sufficient agency, while the third is an objection based on the lack of harmful intent.

3.1 Objection to the First Reading: Collective Harming

Against Pogge’s claim that affluent individuals violate their negative duty by collectively harming the global poor, one might argue that affluent individuals in no sense constitute a *collective*, and so cannot be said to collectively harm the global poor. This objection takes the form of the following argument:

P1. The sense of “harming a person” that is relevant to Pogge’s argument is the sense in which one’s harming a person renders one morally responsible for having harmed the person, such that if one cannot be held morally responsible for harms, then one cannot be said to have harmed in the relevant sense.

⁶⁹ Bittner, 30, emphasis mine.

P2. The capacity for intentional action is an essential feature of moral agency, which in turn is a necessary feature of responsible agents.

P3. Understood collectively, affluent individuals lack the capacity for intentional intention, and so lack the moral agency necessary to count as morally responsible for harms.

C. Therefore, understood collectively, affluent individuals cannot be said to harm in the relevant sense.

With regards to the first premise, presumably, the sense of harm that we are interested in is the sense in which when I say that I have harmed someone, I mean also that I am morally responsible for the harm. Since Pogge is arguing based on a negative account of duty, where violating one's negative duty not to harm gives rise to duties of redress, the sense of harm that is relevant to Pogge's argument is clearly the sense in which my harming someone renders me morally responsible for the harms I have caused to the person. It follows from this that the contrapositive is also true, such that if one cannot be held morally responsible for harms, then one cannot be said to have harmed in the relevant sense.

The second premise is the presupposition of most moral theories. On standard accounts of moral responsibility, moral agency is taken as a precondition for membership in the moral community. Further, it is generally accepted that to count as a moral agent, one must be capable of intentional action. Therefore, in order for one to qualify as a responsible agent, one must have the capacity for intentional action.

The third premise states that affluent individuals do not, as a collective, qualify as a responsible agent. The term "affluent individuals" as used by Pogge picks out a large random group of individuals, comprising affluent citizens in developing states as well as most ordinary citizens in the developed 'first-world' states. These affluent

individuals, who participate in and support the ongoing global institutional order, do so in pursuit of their own ends and not on the basis of any shared common ends or intentions. Since these relevant affluent individuals “do not share aims, have no common projects, do not speak the same language, and much else,”⁷⁰ one might argue that it makes little sense to view this group of affluent individuals as having any capacity for intentional action.

Given P1, P2 and P3, it follows that it is untrue that affluent individuals can be said to harm in the relevant sense. For insofar as affluent individuals, taken collectively, lack the capacity for intentional action, a necessary precondition of moral agency, affluent individuals do not constitute a collectivity with moral agency, and so cannot be held morally responsible for anything. Accordingly, affluent individuals can in no way be said to act *collectively* to cause harm to the global poor and the first reading of Pogge’s claim does not stand.⁷¹

3.2 Three Objections to the Second Reading: Individual Harming

While affluent individuals may not constitute a collective and so cannot be said to own collective responsibility for global poverty, one may, in defense of Pogge, argue that the affluent are *individually*, as opposed to *collectively*, morally responsible for global poverty. In this section, I consider three objections that may be raised against this second reading of Pogge’s claim.

⁷⁰ Gosselin, *Global Poverty and Individual Responsibility*, 114.

⁷¹ This objection has also been discussed by Gosselin in *Global Poverty and Individual Responsibility*, 114-115, and Ser-Min Shei, “World Poverty and Moral Responsibility” in *Real World Justice, Grounds, Principles, Rights, And Social Institutions*, ed. Thomas Pogge and Andreas Follesdal, (Berlin: Springer, 2005),147-148.

3.2.1 The Contribution Principle Objection

The first objection that I consider views harming in terms of the contribution principle. As a start, let me clarify what it means to harm someone in terms of the contribution principle. Following Joel Feinberg, this objection considers harming someone as *contributing to the setback of the person's legitimate interests*.⁷² But what does it mean *to contribute to the setback of another's legitimate interests*? Ser-Min Shei suggests that one's action does not "contribute to the setback of a person's legitimate interests" if, *even without one's action, the person's legitimate interests would have been set back to the same degree anyway* and this not for the reason that someone else would take one's position in the causal chain.⁷³

Going by the contribution principle's definition of harm, affluent individuals may be said to *individually* harm the global poor through their actions within the global institutional order only if the affluent individual's action, *considered alone*, has the effect of setting back the legitimate interests of the global poor.⁷⁴ What this means, then, is that I have not harmed another person if, even without my action, the person's legitimate interests would have been set back to the same degree anyway (and this not for the reason that someone else would take my position in the causal chain).

One paradigmatic instance of one's actions having no marginal detrimental effect on the overall outcome in the said way is in that of the case of voting at a popular election, with a known majority of voters already voting for a particular candidate. Suppose that in an election I am in a large majority of voters who votes for a racist dictator who then goes on to cause grave harms to people of the minority race in my society. Had I not voted for the racist dictator, he would nonetheless have held the

⁷² Feinberg, 31-51.

⁷³ Shei, 148.

⁷⁴ *Ibid.*, 150.

majority of the votes, come to power, and caused grave injustices against the minority race. In a situation like that, it seems that the outcome of the election would have been the same regardless of whether or not I had voted for him. Even without my individual vote for him, the legitimate interests of those harmed by him would have been set back to the same degree anyway. Going by the foregoing definition of harm, since my act of voting for the racist dictator, viewed in isolation of the actions of others, has no marginal effect on the overall outcome (and this not for the reason that someone else would take my position in the causal chain), I cannot be said to have harmed individuals of the minority race by my action of voting for the evil dictator.

Now, one might argue that the affluent individual's part in harming the global poor through her participation in the global institutional order is analogous to the latter situation. There are, in this world, substantially large numbers of people who are already supporting and participating in the existing and ongoing global institutional order that harms the global poor. Given this, it seems true that the ordinary, average citizen's non-participation in this global order, considered alone, makes no difference to the fact that millions of poor people will continue to suffer from the wrongs of the unfair global institutional order. As long as there are enough other people who participate in and support the global institutional order, one's individual participation and support is likely to be insignificant. Even if one withdraws one's participation from the global institutional order, the overall situation faced by the global poor will likely remain the same. If so, then it seems that, contrary to Pogge's thesis, the affluent individual, considered alone, does no harm to the global poor by participating in and supporting the global institutional order.

In considering this objection, it might here be useful to consider a real example that is situated in the context of global poverty. As I write this, thousands of civilians in

the Democratic Republic of Congo, in particular the women, are caught in the midst of a regional war that perpetuates massive atrocities such as rape, brutal killing and violence. This regional war, which has lasted for over a century, is the result of a deadly scramble for the country's vast natural resources. Multiple armed groups use mass rape and slaughter against civilians as a deliberate means to intimidate and control local populations into letting them secure control of mines, trade routes and other strategic areas necessary for the trading of high-value minerals. Minerals such as tin, tantalum, tungsten and gold that are sourced from these conflict areas eventually wind up in the electronic devices (such as cell phones, computers and portable music players) that we, in the affluent countries, purchase. The huge profits that these armed militias earn from the illegal mineral trade help fund the war, and are thus a huge motivation for armed groups on both sides of the conflict to carry on with their perpetration of violence.⁷⁵

Faced with these facts, we might ask ourselves if we have, by having bought electronics containing conflict minerals, harmed the poverty-stricken Congolese civilians in any way. On Pogge's account, it seems we must be said to have harmed the Congolese civilians since, by purchasing the laptop, we participate in an economic order that foreseeably and avoidably causes them harm. Against Pogge, however, the following objection based on the contribution principle might be made: In a context as large as the global institutional order, it seems unlikely that our individual actions as affluent individuals, considered in isolation of the actions of others, are relevant to the overall outcome. Without my particular act of purchasing, say, this laptop, it seems likely that the legitimate interests of the Congolese citizens would have been set back to the same degree anyway. The fact of the matter is that my individual efforts at boycotting laptops containing conflict minerals, should I choose to do so, would

⁷⁵ Centre for American Progress, *RAISE Hope for Congo: Conflict Minerals*, <http://www.raisehopeforcongo.org/content/initiatives/conflict-minerals>.

(when considered alone) probably be ineffectual in making any real difference to the overall situation in Eastern Congo. For as long as there are enough others who continue to purchase electronics that contain conflict minerals, my individual actions are likely to be too insignificant to be consequential. My actions, when considered in isolation of the actions of others, make no marginal contribution to the setback of the legitimate interests of the Congolese, and as such, it seems I cannot be said to have harmed them.

This objection, based on the contribution principle, takes on the following line of argument:

P1'. If the legitimate interests of the global poor would have been set back to the same degree anyway, even without the action of the affluent individual, then the affluent individual cannot be said to harm the global poor.

P2'. Even without the affluent individual's actions (considered in isolation of the actions of other individuals), the legitimate interests of the global poor would have been set back to the same degree anyway.

C'. Therefore, the affluent individual (considered alone) cannot be said to *individually* harm the global poor.

If this objection made from the contribution principle is correct, then the view that affluent individuals are *individually* harming the global poor through their participation in the global institutional order does not obtain.

3.2.2 The Criteria of Sufficient Agency Objection

A second objection that might be raised against Pogge is the objection based on the criteria of sufficient agency. According to this objection, affluent individuals acting in the context of the global institutional order cannot be said to harm the global poor

insofar as they do not meet the criteria of sufficient agency to count as moral agents.

The objection goes as such:

P1". If affluent individuals do not harm the global poor in a morally problematic way, then affluent individuals cannot be said to harm the global poor in the relevant sense.

P2". For affluent individuals to count as harming in a morally problematic way, affluent individuals must act in ways that meet the criteria of sufficient agency.

P3". Most affluent individuals acting in the context of the global institutional order do not act in ways that meet the criteria of sufficient agency.

C". Most affluent individuals acting in the context of the global order do not harm the global poor in a morally problematic way and so cannot be said to harm the global poor in the relevant sense.

In support of P1, one might argue that a distinction must be drawn between causal responsibility and moral responsibility. Consider a case where I have bought a flowerpot and placed it in the living room of my house. Someone else enters the room while I am away and drops the flowerpot out of the window and onto the street below with the intent of hurting a random passerby walking by. In a situation such as this, I am undeniably causally involved in the harm caused to the passerby insofar as I was the one who had bought the flowerpot, which then becomes the instrument of harming. However, as most would surely agree, it does not follow from the fact that I was causally involved in harming the passerby that I have thereby *harmed* the passerby in a way that renders me morally responsible. One can be *causally involved in causing harm* to another without having *harmed* him in a way that is morally problematic.⁷⁶

Presumably, the sense of “harming” that is relevant to Pogge’s argument is harming in the latter sense—that is, harming in a way that is morally problematic.

⁷⁶ Shei, 146.

Thus, as expressed in the first premise of the above argument, “harming a person” should be understood as more than mere causal involvement in causing harm; it involves *causing harms to a person in a way that is morally problematic*. The obvious question that follows from drawing such a distinction is, “What counts as ‘harming in a way that is morally problematic’?” There are many ways to draw the line between the morally problematic and the morally unproblematic, and many important considerations that might be relevant in an assessment of what counts as *harming in a morally problematic way*. But perhaps most fundamental and most widely accepted amongst the range of considerations is the criteria of sufficient agency.

Moral responsibility is typically something that is predicated only of agents, and one can be said to harm in a morally problematic way only if one acts as a moral agent. To count as a moral agent, one must first meet the criteria of sufficient agency. If this presupposition is correct, then, as stated in the second premise, affluent individuals must act in ways that meet the criteria of sufficient agency in order to count as harming in morally problematic ways.

With this in mind, one might then argue that even though the agents involved in the ongoing global institutional order may have sufficient voluntariness, knowledge, rational decision-making etc, where their own personal actions are concerned, in the context of the global institutional order, the agency that they act on is a compromised one. It is not clear that these individuals may be said to meet the criteria of sufficient agency when their actions are combined in an uncoordinated way with the actions of many others whom they do not know, and which they cannot predict, to create outcomes that they never intended.⁷⁷ In support of this third premise, one might argue that affluent individuals do not harm the global poor in a morally problematic way

⁷⁷ Gosselin, *Global Poverty and Individual Responsibility*, 134.

insofar as they fail to meet two criteria of sufficient agency in their roles as participants of the global institutional order. The first is the criterion of having sufficient knowledge of the consequences of one's actions. The second is the criterion of having sufficient control over the consequences of one's actions. Let us look at each in turn.

First Criterion of Sufficient Agency – Knowledge of Consequences

The objection, based on the first criterion of having sufficient knowledge of the consequences of one's actions, is as follows:

P3.1 If affluent individuals act without knowledge of the consequences of their actions, then their actions do not meet the criteria of sufficient agency.

P3.2 In the context of the global institutional order, it is difficult, if not impossible, for affluent individuals to foresee the consequences that will follow from their actions.

P3.3 Most affluent individuals acting in the context of the global institutional order do so without sufficient knowledge of the consequences of their actions.

P3". Therefore, most affluent individuals acting in the context of the global order do not harm the global poor in a morally problematic way.

The first premise rests on our accepting that in contexts where we have no knowledge of the consequences of our actions, we cannot be said to act with sufficient agency. In support of this point, consider the following: Suppose that I am a bungee jump operator and I have been fully thorough in both the observance of the standard safety procedures as well as in the maintenance of my bungee jumping equipment. If, by some freak accident, one of my clients is killed as a result of the cord snapping despite my care in following the proper procedures, then although I may have causally contributed to his death, on standard accounts of responsibility, we would not say that I

have harmed him in a way that renders me morally responsible. The reason for not holding me responsible, it seems, is that I assisted him in doing the jump without knowing that harms will follow from my doing so. Without knowledge of the consequences of my actions, I cannot be said to have acted with sufficient agency to count as a full moral agent and so should not be held morally responsible for the death of the client.

If we accept this, so the objection goes, then a similar line of argument may arguably be made with regards to the affluent individual's role in global poverty, in two ways. Firstly, as many, including Thomas Pogge himself, have pointed out, the causal factors that lead to global poverty are complicated. While harming in the ordinary sphere of person-to-person interactions usually involves the individual *singlehandedly* setting back the legitimate interests of another, harming in the context of global poverty often takes place only as a result of *the confluence of the actions of many different individuals*. Given this, it is difficult for affluent individuals acting within the global institutional order to trace their actions down to their distant consequences.

Secondly, even if the links between particular actions undertaken by affluent individuals and the actions' resultant harms on the global poor are traceable, one might argue that the lack of both transparency and accountability where international policies are concerned renders it difficult for ordinary citizens to realize the harms that they cause through their actions. This is a point raised by Debra Satz, who argues that it is unclear what citizens of the world's developed nations are morally responsible for given that they have little knowledge about the economic policies that their governments endorse. She offers, as an example, the policies of the IMF:

The IMF is accountable to finance ministers and central bank governors, and its officers are not elected but rather appointed by agreement of governments. Further the voting arrangements in the IMF ensure the disproportionate influence of only a few developed countries, in particular the United States. Because IMF

policies are most often debated in secret, most people are unaware of the policies they debate. There is little accountability for international institutions and even less information about their policies than about domestic ones.⁷⁸

The lack of both transparency and accountability where international policies are concerned, even in Western democracies such as the U.S., renders it difficult for ordinary citizens to acquire the relevant information necessary in realizing that their actions within the global institutional order are in fact harming the global poor.

Given how difficult it is for affluent individuals acting in the context of the global order to trace their actions down to their distant consequences, one might argue that most affluent individuals acting in the context of the global order do so without sufficient knowledge of the consequences of their actions. If so, then affluent individuals do not act in ways that meet the criteria of sufficient agency and so cannot be held morally responsible for the harms that follow from their actions.

Second Criterion of Sufficient Agency – Control Over Consequences

The objection, based on the second criterion of having sufficient control over the consequences of one's actions, is as follows:

P3.1' If the consequences of the affluent individual's actions are beyond her control, then the affluent individual does not act in ways that meet the criteria of sufficient agency.

P3.2' In the context of the global institutional order, the consequences of the affluent individual's actions depend on the actions and decisions of other individuals.

P3.3' In the context of the global institutional order, the consequences of the

⁷⁸ Debra Satz, "What Do We Owe the Global Poor?" *Ethics and International Affairs* 19, no. 1 (2005): 50-51.

affluent individual's actions are beyond her control.

P3". Therefore, in the context of the global institutional order, affluent individuals do not act in ways that meet the criteria of sufficient agency.

The first premise rests on the view that the moral agent is one who has a certain degree of control over the consequences of his or her actions. This seems right, for in contexts where the individual has no control over the consequences of his or her actions, it seems that the individual cannot be said to act with sufficient agency for the concept of responsibility to apply meaningfully.

The second premise suggests that for any action that the affluent individual undertakes, the consequences that follow are shaped by the actions and decisions of individuals other than herself. To understand this point, let us return to our earlier example about conflict minerals. When I, as an affluent individual, buy a laptop that contains conflict minerals, it seems that I am involved in causing harm to the Congolese only insofar as my action forms a part of a larger chain of events. The fact of the matter is that there are many other agents involved in the causal chain of events that connects my buying the laptop to the resultant harms suffered by the Congolese. These other agents act independently of me; my act of buying a laptop neither necessitates nor requires that these other agents in the causal chain act in the unethical ways that they do to acquire the minerals. For example, the manufacturers of my laptop could very well have used ethical and conflict-free minerals to meet my demand for a laptop, or the armed militias could very well not have resorted to violence in procuring the minerals.

With so much of the chain of events leading from my action to its harmful consequences resting on actions undertaken by others, it seems that the consequences of my actions depend on the actions and decisions of individuals other than myself.

Without there being armed militias willing to employ violence in the pursuit of procuring minerals, and without those countless other individuals who each play a role in the chain of processes leading up to my purchase of the laptop, my laptop purchase would either not have been possible, or else not have caused Congolese civilians to suffer. Given this, one might wish to argue that the blame must, surely, lie on those other agents who directly harm the Congolese and not on me. For if the outcomes of my actions depend on the actions and decisions of other agents down the causal chain, and so lie beyond my control, I do not meet the criteria of sufficient agency insofar as I have no control over the consequences of my actions.

Think of it this way: I am a knife-maker, and different people buy knives from me for various reasons. If some bandits decide to buy my knives to steal and rob from innocent families, surely I should not be held morally responsible for the crimes of the bandits. Since it was up to the bandits how they used the knives I make, and what they decide to do with the knives is beyond my control, the blame must lie on them and not me.

The same point can be made with regards to the example on IMF policies. As Satz points out, in most developed countries, important and crucial decisions that shape the world's economy are, more often than not, made by unknown bureaucrats in secret negotiations.⁷⁹ Given this, it is highly questionable to what extent ordinary citizens of affluent nations may be considered "significant collaborators" and "responsible participants" of the policies of the IMF and other such institutions. Since the consequences of the ordinary citizen's participation in the global order is dependent upon the autonomous actions and decisions of other individuals, it follows that the consequences of her participation are beyond her control. Thus, in support of the third

⁷⁹ Satz, 50-51.

premise, one might argue that the affluent individual does not meet the criteria of having sufficient control over the consequences of her actions, and so cannot be said to harm in a morally problematic way.

3.2.3 The Lack of Harmful Intent Objection

A third objection that can be raised against the second reading of Pogge's claim is that while affluent individuals may knowingly harm the global poor by participating in the global institutional order, it does not follow that they thereby harm the global poor intentionally or in a morally problematic way. This is an objection raised by Ser-Min Shei, who argues that affluent individuals who participate in a global institutional order that harms the global poor generally do not do so with any intention of harming anyone, and so do not harm the global poor in a morally problematic way.⁸⁰ Her argument may be rendered as such:

P1". If affluent individuals do not harm the global poor in a morally problematic way, then affluent individuals cannot be said to harm the global poor in the relevant sense.

P2"". For actions to count as harming in a morally problematic way, actions need to be undertaken with the intent to harm.

P3"". Most affluent individuals do not act with the intention of harming the global poor.

C"". Therefore, most affluent individuals do not harm in a morally problematic way and so cannot be said to harm the global poor in the relevant sense.

With regards to the first premise, the sense of harming that is relevant to Pogge's argument is, as discussed in the previous section, harming in a way that is morally problematic. In support of the second premise, Shei introduces a set of

⁸⁰ Shei, 151-152.

distinctions that offers a way of distinguishing the moral difference between different cases of intentional harm. According to Shei, there are two senses that one may “intentionally cause harm”:

- (i) I regard the fact that my action causes harm to another to be a decisive reason *in favour* of my undertaking the action.
- (ii) I regard the fact that my action causes harm to another to be *neither* a decisive reason *for* or *against* my undertaking the action.⁸¹

In the first sense of intentionally causing harm, I foresee that my action will produce a certain harmful outcome and I am motivated by the fact that it will cause harm to undertake the action. In the second sense of intentionally causing harm, I foresee that my action will produce a certain harmful outcome but I am not moved by the fact that it will cause harm to either undertake or abandon the action. In the latter sense of intentional harm, I undertake an action with certain known outcomes, but the outcomes that lead to harm do not form a part of my explicit goal and are not necessary parts of my desired ends.

Shei maintains that it is only when one intentionally causes harm to others in the first sense that one causes harm in a way that is morally problematic; to intentionally cause harm in the second sense is morally unproblematic.⁸² With this, Shei argues that since most ordinary affluent citizens intentionally cause harm to the global poor in the second sense rather than in the first, affluent individuals do not act within the global institutional order with the intention of harming the poor. Accordingly, they do not harm the global poor in a morally problematic way and so should not be held morally responsible for global poverty.

⁸¹ Shei, 151.

⁸² Ibid.

Summary

I have, in this chapter, considered the set of plausible objections that can be raised in support of Bittner's point that affluent individuals cannot be said to harm the global poor, whether as a collective or as individuals. The objection is that while affluent individuals cannot be said to harm as a collective insofar as they do not constitute a collective, they cannot be said to harm as individuals either, for reasons that (i) they do not contribute marginally to the setback of the poor's legitimate interests, (ii) they fail to meet the criteria of sufficiency, and (iii) they act with no ill intention of harming the global poor. In the next chapter, I discuss how Pogge's position is in fact defensible against these objections.

4 A Defense of Pogge: Replies to Objections

Introduction

In order to defend Pogge and deny Bittner his objection that affluent individuals cannot be said to harm the global poor—whether individually or collectively—I need only to show that affluent individuals *can* be said to harm the global poor *either* as a collective *or* as individuals. In this chapter, I do not attempt to refute the objection that affluent individuals do not harm the poor *as a collective*. I think that there is a point to this first objection, insofar as affluent individuals lack the proper decision-making structures and so lack the capacity for intentional action to properly count as a collective. Since the capacity for intentional action is typically regarded as a precondition of moral agency, many philosophers have argued that affluent individuals who have neither decision-making structures nor shared intentions or ends do not constitute a collective to count as a responsible agent.⁸³

So, in defense of Pogge, I leave aside the objection that affluent individuals cannot be said to harm the global poor *as a collective* and argue against the objection that affluent individuals cannot be said to harm the global poor *as individuals* instead. In what follows, I refute the objection that affluent individuals cannot be said to *individually* harm the global poor by replying to the three strands of argument made in support of this objection—the contribution principle objection, the criteria of sufficient agency objection, and the lack of harmful intent objection.

⁸³ Larry May suggests that a collective constitutes “a collection of persons with a decision-making structure,” (p.270) while Margaret Gilbert suggests that a collective constitutes “any population of subjects who are party to a given joint commitment.” (p.102) For a full discussion of the issue of collective moral responsibility, refer to Larry May, “Collective Inaction and Shared Responsibility,” *NOÛS* 24, (1990): 269-277, and Margaret Gilbert, “Who’s to Blame? Collective Moral Responsibility and Its Implications for Group Members,” *Midwest Studies in Philosophy*, XXX, (2006): 94-114.

4.1 Reply to Contribution Principle Objection

According to the contribution principle, affluent individuals may not be said to individually harm the global poor because the affluent individual's action, considered alone, has no marginal detrimental effect on the overall outcome of the legitimate interests of the global poor. I argue that the objection based on this contribution principle is mistaken. For even if it were the case that one makes no contribution to the overall outcome of another's legitimate interests, it does not follow that one cannot then be said to have caused harm. I argue that the contribution principle fails as a condition for determining what it means to harm someone. For not only does thinking of harm solely in terms of the contribution principle yield counterintuitive moral assessments, thinking about our role in the global order purely in terms of marginal contribution also does not capture what really is at stake at the global institutional level.⁸⁴ Hence, I posit that the objection based on the contribution principle should be rejected.

Let us begin by considering the following scenario: Nine people are pushing a bus full of school children off the edge of a cliff so as to cause them harm. These nine people are fully capable of doing so without my assistance. Despite this, I decide to join them in their efforts to push the bus off the cliff. In such a scenario, should I be said to have harmed the busload of school children?

⁸⁴ Note that my rejection of the contribution principle is not inconsistent with my using the language of contribution elsewhere in the argument. There is a difference between thinking of harm "in terms of the contribution principle" and thinking of harm "in terms of contribution". According to the former, one's action does not contribute to the setback of a person's legitimate interests if, even without one's action, the person's legitimate interests would have been set back anyway. According to the latter, one's action contributes to the setback of a person's legitimate interests simply if the action sets back the person's legitimate interests.

Considered in purely consequentialist terms, there is no moral difference between my stepping in to help with pushing the bus and my walking away. The overall outcome would remain the same whether or not I participate in the efforts of the nine people—the bus full of school children will be seriously harmed. Thus, going by the reasoning of the contribution principle objection, because I make zero marginal contributions to the setback of the legitimate interests of the school children in the bus, I cannot be said to have harmed them.

This conclusion strikes us as deeply counterintuitive. In a situation such as this, most people would regard my joining in the effort of pushing the bus as morally wrong and also as morally worse than if I had simply walked away. The reason for this, I suggest, is that, on a negative account of duty, there is in fact a morally relevant difference between my joining in the effort to push the school bus off the cliff and my walking away. On the negative account of duty, we each have a duty not to cause others harm that is both foreseeable and avoidable. Because what we are concerned with on the negative account of duty is the role of the individual on the causal end of the harm, I am responsible insofar as I have played a role in assisting the nine people in pushing the bus off the cliff. So even though I make no marginal contribution to the setback of the legitimate interests of the school children by stepping in to help the nine people push the bus, by doing so I involve myself in a collaborative effort of producing a harmful outcome that is both foreseeable and avoidable. This implicates me in the act of causing undue harms to the school children in the bus, and so renders me morally responsible for the harms caused insofar as I have violated my negative duty not to harm. If my above analysis is correct, one may be held morally responsible for the harms caused by the harmful activity that one engages in, even though one makes no marginal contribution to the setback of another's legitimate interests.

In view of what has been argued, I suggest that thinking of harm in terms of the contribution principle is problematic and should be rejected as a condition for determining what counts as having harmed someone. For not only does the contribution principle yield counterintuitive moral assessments such as the one just discussed, the same counterintuitive results obtain when we apply the contribution principle to cases of voting. If we accept that the individual voter does no harm by voting for a racist dictator because his individual vote makes no marginal contribution to the overall election outcome and its resultant harms, then we are forced also to say that none of the voters can be said to have done any harm by having voted for the racist dictator. So even though the many votes in favour of the racist dictator had in fact resulted in grave harms and injustices, we are left with the conclusion that no one is responsible. This seems rather implausible.

A second reason why the contribution principle should be rejected is that thinking about our role in the global order in terms of marginal contribution does not capture what really is at stake at the global institutional level. By viewing harm in terms of the individual's marginal contributions to overall outcome, the objection based on the contribution principle fails to take into account the fact that harming in the context of global poverty is not an individual activity.

On our standard account of responsibility, responsibility is attributed to specific agents for particular harms that they cause as a result of particular actions that they undertake. So if I am responsible for harming John, it is because I, as a specific agent, have performed some specific action that has caused him a discrete and identifiable harm. In the context of harming the global poor through the global institutional order, however, this is not the case. While I singlehandedly cause a discrete and identifiable harm to John when I strike him, the same kind of harm cannot be said of harms caused

to the global poor by the affluent individual who participates in the global institutional order. I do not, as an affluent individual, cause discrete, identifiable harms to the global poor through my actions alone. It is not by my actions alone, as an individual qua particular agent, that harm is inflicted on to the global poor. Rather, harming in the context of global poverty generally involves the affluent individual doing so indirectly, and only as a result of the convergence of his actions with that of several other individuals.

For example, while it may be true that my action of buying a laptop that contains conflict minerals, considered alone, makes no direct marginal contributions to the overall setback of any poor individual's legitimate interests, it does in fact make some such contributions to harm indirectly. By purchasing a laptop that contains conflict minerals, I create a demand for more of such conflict minerals to be produced. The contribution to overall demand that I make may be so slight as to be unnoticeable, but this does not mean that I make no contribution whatsoever. My contributing to a very small fraction of the overall demand for conflict minerals forms a part of a larger chain of events that result in the overall setback of others' legitimate interests and so causes harm to others in some indirect way.

Given this, it would be a mistake to think about our role in the global order in terms of the marginal contributions that one makes to the setback of another's legitimate interests. By viewing harming in terms of the individual's marginal contributions to overall outcome, the contribution principle objection views the actions of the individual *in isolation of the actions of others* within the same global order, and thus fails to account for the way the injustices of the global order are produced. The objection conveniently overlooks the institutional harms that are brought about by the combined actions of many individuals acting under the shared global institutional

order, and so arrives at the mistaken conclusion that affluent individuals do not contribute to harming the global poor.

While the contribution principle objection is right in holding that the affluent individual's action, *considered in isolation of the actions of others*, makes no marginal contribution to the overall outcome of the global poor's legitimate interests, I argue that the affluent individual may nevertheless be held morally responsible for the harms suffered by the global poor. This is because the contribution principle does not capture what really is at stake in the context of the global order and so fails as a condition for determining what counts as harm on the negative account of duty.

4.2 Reply to Criteria of Sufficient Agency Objection

Let us turn now to a defense of Pogge against the second set of objections, the criteria of sufficient agency objection. In reply to the objection based on the first criterion of sufficient agency—the criterion of having sufficient knowledge of the consequences of one's actions—I argue that while it is right in suggesting that it is often difficult to predict the consequences that follow from one's actions within the global institutional order, this is not always the case. In spite of the complicated ways of interactions in the global order, many of us are aware of the broad outlines of the consequences of our actions on the poor. There are many, for example, who are well aware of the consequences of purchasing certain brands of clothing and shoes that are produced under sweatshop conditions, but who nonetheless go on buying these products anyway. For those of us who knowingly harm the global poor, it seems the objection that we do not meet the criteria of sufficient agency insofar as we lack knowledge of the consequences of our actions does not apply.

But, more importantly, what of cases where I act without realizing that harm

will result from my actions? I argue that it does not follow merely from the fact that I lack sufficient knowledge of the consequences of my actions, that I am therefore not morally responsible for the consequences of my actions. Suppose that as an owner of a chemical factory, I instruct my workers to discharge toxic wastewater into the sea, not knowing that doing so would result in grave harms. As a direct result of my actions, the waters are contaminated, and many people and animals living in the nearby coastal regions die from mercury poisoning. In such a situation, even though I acted without knowing that harms would follow from my action, most of us would, I think, agree that I should be held morally responsible.

The reason for this, I suggest, is that this scenario describes an instance of culpable ignorance or negligence. In cases of negligence, I am not aware of the risk of causing harm to someone even though I *should have been* aware. In failing to ensure that the way I dispose of the chemical wastewater would not be of harm to others, I fail to live up to a certain standard of care that is *reasonably expected* of me. The mere fact that I acted without knowing about the harms that will follow from my actions does not disconnect me from my responsibility. What matters is that if the harm is something that I can be *reasonably expected to foresee* as a result of my own actions, my failure to inform myself of the harmful consequences and to desist from taking the harmful action renders me morally culpable.

The earlier example about IMF policies is a case in point. Against Debra Satz's objection, I argue that the obscurity of the decision-making processes of the IMF does not completely disconnect us from our responsibility. As Pogge rightly points out, if there is a problem of a lack of transparency in our governments, it is our responsibility to ensure that our political leaders do not "conceal what they are doing with the powers

we lend them.”⁸⁵ It is reasonable to expect this of us because, and to the extent that, these decisions are made by people whom we have empowered. While it may be true that we should not be held morally accountable for political decisions made in obscurity and without our consent, we are not completely let off the hook either. Given that the decisions of our politicians and negotiators would count for nothing without the powers we delegate them, we are morally responsible to the extent that we have the minimal responsibility of demanding for greater transparency and accountability in our governments when we are aware of any such lack.⁸⁶ Obliging the failure to do so would mean obliging the choice to remain blissfully ignorant while reaping the benefits of policies that are unjustly slanted in our favour.

Therefore, against the objection based on the first criterion of sufficient agency, I argue that insofar as it is *reasonable to expect* us to realize the harms that follow from our actions, our failure to foresee such harms does not let us completely off the hook. This is not to say that it is always reasonable to expect us to realize that harms would follow from our actions. My point is that, in cases where it is reasonable to expect us to inform ourselves of the harms that might follow from our actions, we should be held morally responsible for the harmful consequences of our actions. I will say more of this in my concluding chapter.

I turn now to the objection based on the second criterion of sufficient agency—the criterion of having sufficient control over the consequences of one’s actions. I argue that this objection fails insofar as it fails to capture what goes on in the context of the global institutional order. With regards to the knife seller example, the right response is, I think, to point out that the example does not quite capture what goes on in our interactions within the context of the global institutional order. To make the

⁸⁵ Pogge, “Reply to Critics,” 79.

⁸⁶ Ibid.

example properly analogous to that of what goes on in the global institutional order, it must not only be the case that I am selling knives to bandits, I must also be the bandits' regular supplier of knives. If I knew that the bandits whom I am selling the knives to intend to use the knives for morally bad ends, and I nonetheless supply them with knives regularly to upkeep their crimes, it is clear that I cannot disclaim responsibility altogether. This is not to say that the bandits are any less blameworthy. On the contrary, they are even more so than I am, for I am only a contributory cause to their eventual actions. However, by supporting them in their unworthy causes, I am not absolved either.

I thus argue that the line of reasoning taken by the second objection is flawed. For it presupposes that the actions of those individuals involved in causing harms to the global poor are independent of each other. By characterizing the involvement of affluent individuals in terms of "the accidental confluence of many individual actions," the objection misrepresents the way that affluent individuals are causally involved in harming the poor. It is certainly not true that the actions of affluent individuals are "combined in an uncoordinated way" with the actions of other individuals to result in the unforeseen result of harm to the global poor. What one does as an affluent individual participating in a global institutional order affects the decisions and actions of others within the same global institutional order. Given this, it is possible for the affluent individual to act in ways to avoid the harms that foreseeably result from their actions. As such, it would be misleading to claim that affluent individuals have absolutely no control over the consequences of their actions and so fail to meet the criteria of sufficient agency.

Let us consider again as an example the use of conflict minerals for the production of electronics. When I purchase a laptop that contains conflict minerals, I

generate some demand for more conflict minerals to be acquired, thus indirectly harming the global poor. According to the objection, however, my act of buying a laptop does not require that these other individuals act in the unethical ways that they do to acquire the minerals. For example, the manufacturers of my laptop could very well have only used non-conflict minerals in the production of my laptop, or the mining of the conflict minerals could well have been conducted in an ethical way, such that my laptop purchase would not have eventuated in human rights violations. Had these other individuals along the causal chain acted differently, so the objection goes, my action would not have led to harms suffered by the Congolese.

In reply, I contend that while it may be true that the actions of these other affluent individuals who harm the Congolese civilians are independent of mine, insofar as they are independent moral agents and so there is no necessity for them to act in any particular way, the fact of the matter is that my action of buying products with conflict minerals predictably influences other individuals to act in certain ways. Without demand for conflict minerals, there would be no point in the actions of these other individuals who procure conflict minerals in ways that harm the Congolese civilians. Clearly, my act of purchasing electronics with conflict minerals has some causal influence on how others act. If I act knowing that my action would likely causally influence others to act in ways that would result in harms to the global poor, and I can reasonably avoid such an outcome (at no great costs to myself) by choosing to act otherwise (such as by boycotting products with conflict minerals or campaigning for companies to set higher ethical standards on their manufacturing process), it seems untrue that I have absolutely no control over the consequences of my actions.

Therefore, in reply to the objection based on the second criterion of sufficient agency, I argue that because the affluent individual is often in a position to avoid the

foreseeable consequences of her actions by choosing to act differently, her causal involvement in causing harm to the global poor is one that meets the criteria of sufficient agency and so also one that counts as morally problematic.

4.3 Reply to Lack of Harmful Intent Objection

I turn now to the third objection raised by Shei. Shei argues that affluent individuals who undertake actions knowing that it would lead to harm do not cause harm in a morally problematic way if the harmful outcomes that result from their actions are not necessary parts of their desired ends. I argue that Shei is mistaken. Considering the following three scenarios might help us see the three different levels of harming that are, to different degrees, violations of the duty not to harm.

In the first scenario, suppose that I am a bungee jump operator. A person whom I secretly bear grudges against approaches me to assist him in bungee jumping. In preparing him for the jump, I deliberately pick a bungee cord that is worn and overused in the hope that the cord will break during his jump, thus killing him. As a direct result of my actions, my nemesis is killed because the overused cord snaps during his jump, as I had intended.

In the second scenario, as a bungee jump operator, the decisive reason in favour of my undertaking whatever direct actions as a bungee jump operator is that it is a means to earn profits, and not because it is a means to inflict harm on customers. In an effort to cut costs, I am somewhat lax in my observance of safety procedures. I fail to replace bungee cords that are potentially unsafe as a result of normal wear and tear, despite knowing of the plausible dangers that this poses to my customers. As a direct result of my actions, a customer is killed because an overused cord snaps during his jump.

In the third scenario, I fail to comply to the safety standard procedures that I am obliged to follow as a registered bungee jump company simply because I have been careless. I overlook the fact that I am required to replace my bungee cords after every two years. As a direct result of my carelessness, a customer is killed because an overused cord snaps during his jump.

These three scenarios each describe different kinds of harming that violate the negative duty not to harm to different degrees, from greatest to least. The first scenario appears to describe a clear-cut case of intentional harming. In cases of intentional harming, I regard the fact that my action would cause harm to someone to be a decisive reason in favour of undertaking the action. This seems to fit well with the first scenario described. In the first scenario, I regard the fact that using a worn bungee cord would cause harm to my nemesis as a decisive reason in favour of doing so, so as to bring about his death. Since I regard the fact that my action would lead to harmful outcomes to be a decisive reason *in favour* of my undertaking the action, by Shei's reasoning, such an instance of harming is both intentional and morally problematic. This seems right; having performing an action that foreseeably and avoidably leads to harm, I must be said to have harmed in a morally problematic way.

The second scenario appears to be an instance of reckless harming. In cases of reckless harming, although I do not aim at harming anyone, I am aware that my action is likely to lead to a harmful outcome. Despite this, I do not desist from my potentially harmful action. This seems to describe the second scenario well. In the second scenario, I have no intention of harming the customer; in fact, I have no knowledge that this specific cord would snap under the weight of this specific person. However, I am aware of the potential dangers that I am posing to my customers by not replacing the bungee cords, and despite that, I go ahead with doing so anyway. Since causing

harm to my customers is neither a reason for or against my decision not to replace overused bungee cords—cost cutting is—going by Shei’s reasoning, my act of harming the customer in a bid to cut costs is intentional but *not* morally problematic.

I argue that Shei’s position on this is mistaken. When I intentionally undertake an action with certain foreseeable outcomes, I should be held morally responsible for the outcomes of my actions, even though some of the outcomes are not necessary parts of my desired end. For example, if I were to drop a bomb in the middle of a crowded city centre with the explicit goal of killing one man amidst the crowd, it seems that I should be held morally responsible for more than just my intent to kill the one man. I should be held responsible for harms suffered by the bystanders whom I have recklessly killed or injured as well. Even though the known result that many bystanders will be killed or injured as a result of my action is neither a motivating reason for or against my undertaking of bombing the city centre, it does not mean that I have not harmed these innocent bystanders in a morally problematic way. Against Shei, therefore, I argue that those who recklessly harm others cause harm that is both foreseeable and avoidable, and should, for that reason, be held morally responsible for the harms they cause.

The third scenario describes an instance of negligence, or culpable ignorance. As mentioned earlier, in cases of negligence, I am not aware of the risk of causing harm to someone even though I should have been aware. As a registered bungee jump operator, I am supposed to be familiar with the proper safety procedures and standards. In failing to know this, I fail to live up to a certain standard of care that is both required and reasonably expected of me. My act of negligence is thus morally problematic, albeit to a lesser extent than in the previous two cases. Shei’s argument does not mention cases such as this one. However, it seems reasonable to assume that if on

Shei's account acts of recklessness do not count as morally problematic, then neither will acts of negligence count as morally problematic. Against Shei, therefore, I contend that those who harm out of negligence do so in a way that is morally problematic as well and should be held morally responsible for the harms caused.

With these distinctions in mind, I argue that affluent individuals who do not take harming the global poor as a decisive reason either for or against their harmful actions harm the global poor recklessly. Acts of recklessness are morally problematic insofar as they cause harm that is both foreseeable and avoidable, while acts of negligence are morally problematic insofar as they cause harm that one can *reasonably be expected to foresee and avoid*. Thus, I contend that Shei is wrong and this third objection based on the lack of intent to harm should be rejected.

Summary

In defense of Pogge, I have, in this chapter, argued against the set of plausible objections supporting Bittner's point that affluent individuals cannot be said to harm the global poor, whether as a collective or as individuals. While it may be the case that affluent individuals cannot be said to harm as a collective insofar as they do not constitute a collective, I argue that affluent individuals can in fact be said to harm the global poor as individuals. The objection that affluent individuals cannot be said to individually harm the global poor rests on three further objections—the contribution principle objection, the criteria of sufficient agency objection and the lack of harmful intent objection.

Against the first objection based on the contribution principle, I argued that it fails for two reasons: firstly, thinking of harm solely in terms of the contribution principle yields counterintuitive moral assessments; secondly, thinking about our role

in the global order purely in terms of marginal contribution does not capture what really is at stake at the global institutional level. I argued that it does not follow from the fact that affluent individuals do not contribute marginally to harm that they are therefore not harming the global poor in a way that is morally problematic.

Against the second objection based on the criteria of sufficient agency, I offered two replies. In reply to the first criterion—knowledge of consequences of one's actions—I argued that where it is reasonable to expect us to know about the harmful consequences of our actions, we should be held morally responsible insofar as we fail to inform ourselves of the harmful consequences and so fail to desist from the harmful action. In response to the second criterion—control over consequences of one's actions—I argued that in cases where we are in positions to avoid the harmful consequences of our actions by choosing to act differently, but we fail to do so, we should be held morally responsible for those harms.

Against the third objection based on the lack of harmful intent, I argued that affluent individuals who cause harm to the global poor without the intent to harm nevertheless do so in a way that is morally problematic. For, insofar as their harming is both foreseeable and avoidable, they should be held morally responsible for the harms that they cause to the global poor.

5 Conclusion

Introduction

The aim of this thesis has been to explore the extent of our moral responsibility to the global poor, as framed in terms of Pogge's argument. Specifically, I have attempted to establish the extent to which we affluent individuals can be held morally responsible for global poverty, if we grant Pogge's empirical claim that there exists a global institutional order that is foreseeably and avoidably perpetuating poverty in the world.

In pursuit of this, I began, in Chapter One of this thesis, by bringing into question the reasons that people hold in excusing themselves from the duty to do more than they presently do for the global poor. I examined how these assumptions that underlie our inaction are unfounded insofar as they can and have been undermined by both Singer and Pogge, thus establishing that we are indeed morally responsible for global poverty.

But to what extent are we morally responsible? I set out, in Chapter Two, a detailed exposition of Pogge's argument for why we affluent individuals have strong moral obligations to the global poor, focusing in particular on Pogge's institutional approach to the problem. According to Pogge, we are each morally responsible for global poverty because and to the extent that we participate in and benefit from a global institutional order that foreseeably and avoidably perpetuates poverty in the world. I argued, however, that for Pogge to adequately defend his thesis, he must meet the general objection raised by Bittner that world poverty cannot be imputed to anyone, whether viewed in terms of *collective* or *individual* responsibility. I thus considered, in Chapter Three, the set of objections that can be raised in support of Bittner's objection. I then argued, in Chapter Four, that Pogge's argument is defensible against the

objections considered, insofar as affluent individuals can indeed be said to *individually*, albeit not *collectively*, harm the global poor.

My defense of Pogge, however, does not go all the way. For while I have shown the objections that I have considered in this thesis to be unpersuasive, I shall argue that these objections nevertheless point us to a very real and practical limit as to what Pogge can claim about the extent of our moral obligations to the global poor. Pogge's conclusion about how morally responsible we are towards the global poor is a very strong one—according to him, we are morally responsible because and to the extent that we *participate in* and *benefit from* the global institutional order that foreseeably and avoidably perpetuates severe poverty in the world. In this concluding chapter, I argue that Pogge's argument in support of such strong moral obligations is lacking. I suggest that Pogge does not succeed in establishing the strong conclusions that he draws about the extent of our moral obligations to the global poor, on two counts.

Firstly, while Pogge is right in saying that we violate our negative duties insofar as we *contribute* to harming the global poor, I argue that he is mistaken in claiming that we violate our negative duties by *benefiting* from the harms of the global poor. Profiting or benefiting from the injustices of the global order *per se* does not constitute a violation of our negative duties toward the global poor. Secondly, I argue that Pogge is wrong to claim that simply by virtue of our participation in the ongoing and unjust global institutional order, we harm the global poor in a way that renders us morally responsible. I argue that to the extent that it is *not reasonable to expect us to foresee or avoid* the harms that follow from our participation in the global institutional order, our participation in the global order is *not* a violation of our negative duties and so does not render us morally responsible for global poverty.

In light of these two considerations, I argue that Pogge is committed to weakening his claims about the extent of our moral obligations to the global poor. I conclude by proposing how Pogge can modify his claims about what we owe to the global poor in order to preserve the tenability of his position, and finally, with a discussion of the significance of my proposed amendment on Pogge's overall thesis.

5.1 Profiting from Injustice – A Violation of Negative Duty?

Thus far, my discussion of Pogge has centred on how by *contributing* to the imposition of an unjust global institutional order, we may be violating our negative duties not to harm others. Pogge, however, holds us morally responsible for more than just our *contributions to* harming the global poor. Occasionally, Pogge uses a broader, disjunctive formulation that invokes our negative duty not to *contribute to* or not to *profit from* the unjust impoverishment of others.⁸⁷ According to Pogge, “how much one should be willing to contribute toward reforming unjust institutions and toward mitigating the harms one causes depends on how much one is *contributing to*, and *benefiting from*, their maintenance.”⁸⁸ In characterizing our involvement in the unjust global institutional order, Pogge refers not only to the extent that we *contribute to* injustices toward the global poor through our participation in the global institutional order, but also to the extent that we *benefit* or *profit* (both terms are used interchangeably) *from* these injustices. This latter aspect of Pogge's argument, which has been much neglected thus far in this paper, will be the focus of my discussion in this very last section of the thesis.

⁸⁷ Pogge, *World Poverty and Human Rights*, 197.

⁸⁸ *Ibid.*, 50.

That we each have a negative duty not to *contribute to* injustice without compensation is something that most would find unobjectionable. But do we really have a negative duty not to *benefit from* injustice without compensation if our doing so does not also contribute to injustice? While Pogge seems to think that we do, I argue otherwise. In what follows, I shall argue that affluent individuals who benefit from the injustice of the global order but are not involved in contributing to the injustice owe no compensation to the poor pursuant to a negative duty not to harm.

A good way to go about the task of figuring out whether benefiting from injustice *per se* is a violation of one's negative duties is, I argue, to consider cases where people benefit from injustice without contributing to it. It would be instructive therefore to elucidate what counts as an instance of mere benefiting from injustice. Following Reitberger, I suggest that I harmlessly benefit from an injustice if my benefiting (i) does not reproduce further injustices, i.e., does not result in any 'collateral damage', or (ii) my benefiting does not obstruct restorative justice.⁸⁹ So, for example, if I buy goods that turn out to be stolen goods and my doing so perpetuates further injustices by creating demand for more of such goods to be stolen, my benefiting from the injustice is not harmless. Alternatively, if by keeping the stolen goods to myself, I prevent the stolen goods from being returned to its rightful owner and so prevent justice from being restored, then even though I had nothing to do with the theft, my benefiting from the injustice is not harmless.

Having clarified what counts as harmlessly benefiting from injustice, I turn now to comparing mere benefiting from injustice with benefiting from natural harm or misfortune. We generally do not consider benefiting from the natural misfortune of

⁸⁹ Magnus Reitberger. "Poverty, Negative Duties, and the Global Institutional Order," *Politics, Philosophy and Economics* 7, no. 4 (2008): 379-402.

others to be a violation of our negative duties. For example, we do not consider the doctor to have violated his negative duties when he makes a profit rendering his services to patients who have fallen ill. Neither do we think of ourselves as having violated our negative duties when we win a race because our stiffest competitor suffered from a muscle cramp during the race.

If we think that there is nothing morally wrong with benefiting from the natural harm of others, why should we think there to be anything wrong with harmlessly benefiting from the unjust treatment of others? Absent of a good reason to construe both sorts of benefiting from harm differently, it is unclear why benefiting from natural harm should, on the negative account of duty, be considered morally different from pure benefiting from unjust harm. As mentioned earlier on in this paper, on the negative account of duty, *what matters morally is the role that the individual plays on the causal end of the harm*. Since in both cases, I benefit from the harms suffered by others, while making no contribution to the harms myself, it seems to me that there should be no moral difference between cases of benefiting from natural harm and those of benefiting from injustices. For as long as I do not contribute to the injustice, I am in no way responsible for bringing about or perpetuating the situation that causes harm to someone else and so cannot be said to have violated my negative duty not to harm.

This objection has been discussed in some detail by both Norbert Anwander and Thomas Pogge in a symposium on Thomas Pogge's *World Poverty and Human Rights*. While it is not my intention to revisit the full discussion between the two here,⁹⁰ I wish to discuss two points of criticism raised by Anwander that I think Pogge fails to adequately address in his reply to Anwander.

⁹⁰ For a full discussion of this issue, refer to Norbert Anwander's "Contributing and Benefiting: Two Grounds for Duties to Victims of Injustice," *Ethics and International Affairs* 19, no.1 (2005): 39-45, and Pogge's "Reply to Critics," 69-74.

The Duty Not To Profit from Injustice

The first criticism that I consider is Anwander's rejection of the claim that there is a negative duty not to profit from injustice, *over and above* the duty not to contribute to injustice. In his objection, Anwander refutes both the strong claim that it is *always* wrong to profit from injustice (i.e. the claim that there is a *general* duty not to profit from injustice), as well as the weaker claim that it is *sometimes* wrong to benefit from injustice (i.e. the claim that there is a more *specific* duty not to profit from injustice).

Pogge agrees with Anwander that there is no *general* negative duty not to profit from injustice without compensating protection and reform efforts. In instances of profiting from injustice that feature historical injustices that can no longer be mitigated and whose victims are now dead (e.g. the Hiroshima case⁹¹), or in instances that feature profitings that cannot be declined by their beneficiaries (e.g. breathing cleaner air⁹²), Pogge is in agreement with Anwander that we have no negative duty not to profit from injustice without compensation.

Pogge, however, rejects Anwander's other claim that there is no *specific* negative duty not to profit from injustice without compensating protection and reform efforts. Anwander argues that the wrong-making feature in instances of benefiting from injustice without compensation lies not in the benefiting but rather in the contributing to injustice. So, for example, in the case of the Martians who shower us

⁹¹ One counterexample would be the Hiroshima case, where our knowledge of radiation can be directly traced back to the events at Hiroshima. However, the fact that patients receiving radiotherapy today have benefited from knowledge that was the product of grave injustices does not make it the case that these patients have done wrong pursuant to a negative duty not to profit from injustice by receiving radiotherapy treatment. See Pogge, "Reply to Critics," 70.

⁹² One counterexample would be that of how all people everywhere, whether they want to or not, enjoy air that is cleaner than it would be if many others were not unjustly kept in poverty and thereby constrained in their polluting activities. But those not involved in sustaining the injustice who also reap the benefits of cleaner air do not owe compensation to the poor pursuant to a negative duty not to profit from injustice. See Pogge, "Reply to Critics," 70.

Earthlings with the spoils of injustices that they visit upon the Venusians, it would be wrong to keep the spoils and so benefit from the injustices, not because it is wrong to benefit from injustice *per se*, but because doing so prevents the restoration of goods and so contributes to injustice. By holding on to what is rightfully someone else's, we obstruct restorative justice and so contribute to injustice.

In response to Anwander's point that our benefiting from injustice is wrong if and because it at the same time involves us in contributing to injustice, Pogge's reply is that in order to make such an assertion, Anwander is committed to the following three points:

- (i) that each instance of wrongfully profiting from injustice without adequate compensation is, as a matter of fact, also an instance of contributing to injustice;
- (ii) that *contributing to injustice* figures in every such instance as a wrong-making feature;
- (iii) that *profiting from injustice* does not figure in any such instance as an (additional) wrong-making feature.⁹³

Pogge then goes on to argue that Anwander is wrong insofar as none of these three points are defensible. He points out, for example, that U.S. citizens of 1845 who clearly supported and profited from the injustice of enforced slavery—"most obviously by owning slaves, but also indirectly by purchasing cheap slave-produced commodities"—violated two distinct duties: they violated one negative duty insofar as they made uncompensated contributions to upholding the institution of enforced slavery, and they violated another negative duty insofar as they profited, without

⁹³ Pogge, "Reply to Critics," 71.

compensation, from the same unjust institution.⁹⁴ Pogge notes that Anwander might argue, in response to this, that the benefit of owning slaves or purchasing cheap slave-produced commodities is wrong only because it contributes to the injustice in some broad sense.⁹⁵ However, he argues that because ‘it is quite unlikely that every instance of slave owning and every instance of purchasing cheap slave-produced commodities without compensation contributed to the imposition of the unjust institutional order,’⁹⁶ Anwander must be wrong, and there must be a negative duty not to profit from injustice without compensation over and above the duty not to contribute to injustice.

I think that Pogge’s reply misses the point of Anwander’s objection. Firstly, Anwander does not claim that *every* instance of profiting from injustice is also an instance of contributing to injustice. In fact, he clearly does not. For in holding that “situations of pure benefiting are very rare in the real world,”⁹⁷ he implies that there are at least some instances of profiting from injustice that are not at the same time also instances of contributing to injustice. This is also evident from his claim that “[w]e can explain why *most, but not all*, cases of benefiting from injustice are thought to be wrong by pointing out that through *most, but not all*, such actions we in fact contribute to unjust harm.”⁹⁸ Anwander’s point is that because instances of profiting from injustice is *almost always* in conjunction with instances that contribute to injustice, it is easy to be misled into thinking that profiting from injustice violates our negative duty. Thus Anwander is *not* committed to the above three claims that Pogge holds him to. He is only committed to saying that *most* instances of wrongfully profiting from

⁹⁴ Pogge, “Reply to Critics,” 71.

⁹⁵ Ibid.

⁹⁶ Ibid.

⁹⁷ Anwander, 40.

⁹⁸ Ibid., 41, emphasis mine.

injustice without adequate compensation are also instances of contributing to injustice, and that this might explain why we think that benefiting from injustice is wrong.

Secondly, with regards to Pogge's slavery example, if indeed there were an instance of purchasing cheap slave-produced commodities that does not contribute to the imposition of the unjust institutional order, it seems to me that Anwander would hold that such an instance of harmless purchase is not a violation of one's negative duty. Pogge might dispute this by arguing that this is a counterintuitive bullet to have to bite. But the reason why this verdict strikes us as counterintuitive, I argue, is that it is difficult to conceive of how any purchase of a cheap slave-produced commodity could fail to also contribute to the injustice of slavery. By purchasing a cheap slave-produced commodity, we inevitably contribute to injustice by at least implicitly endorsing or declaring our support for slavery. Pogge's example is thus not a very good one to work with. If we really wanted to test our intuitions on the matter, we will need an example that is more obviously and unequivocally an instance where one's benefiting from injustice without compensation is not also an instance of contributing to injustice.

As Anwander correctly notes, such instances of mere or harmless benefiting are rare in the world.⁹⁹ Typically, where one benefits from some injustice, one is also connected with the injustice in such a way that one is also contributing to the injustice. For example, each time we benefit from being able to purchase cheaply-produced clothing manufactured under sweatshop factory conditions, we are also contributing to the injustice of having people work under sweatshop conditions by supporting the sweatshop clothing industry and creating demand for more sweatshop clothing to be produced. However, one could conceivably profit from injustice without contributing

⁹⁹ Anwander, 40.

to it in the case where I pick up a second-hand sweatshop-produced t-shirt that has been thrown away by someone else. Supposing that this t-shirt is not available on the fair trade market, I benefit from the injustice of the sweatshop industry insofar as this item would not have been available to me otherwise. But since my doing so does not create any demand for more of such sweatshop clothing to be produced, I do not contribute to the injustice of the sweatshop industry.¹⁰⁰

In such a scenario, do we say that I have, in having purely benefited without compensation from the injustice of the sweatshop, violated my negative duty not to harm? With this better constructed example, it seems that intuitions will likely lie with that of Anwander's that my act of picking up a second hand sweatshop item that would otherwise have been thrown away should not be considered a violation of my negative duty. Since in this instance I profit passively without making contributions to the injustice of sweatshop practices, it seems I cannot be said to have caused others harm. Thus I argue, in support of Anwander, that insofar as my profiting from an injustice without compensation does not also contribute to the injustice in some way, I do not violate my negative duty not to harm.

More Stringent and More Demanding Obligations

In the preceding section, I rejected Pogge's claim that there is a negative duty not to profit from injustice *over and above* the duty not to contribute to injustice. I argued that we have moral obligations to the poor only to the extent that we contribute to the upholding of an unjust global institutional order that unduly harms the world's

¹⁰⁰ In order that no further demand is generated as a result of my action, we must assume that my wearing this t-shirt does not have any further impact on others wanting to buy sweatshop clothing from the stores. We must also assume that this t-shirt is generic enough (such that others cannot tell whether it is a fair trade or sweatshop item), so that I cannot be seen to be showing my support for the sweatshop industry.

poor. In this section, I will examine whether these moral obligations are made *more demanding* or *stringent* by the fact that we also *benefit* from these injustices.

Contrary to Pogge, Anwander argues that mere profiting from injustice without compensation does not render one's obligations to the victims of injustice *more stringent* or *more demanding*. He supports his assertion by way of the following example: We have in our possession two stolen objects that we know to be of equal and great value to their respective rightful owners. It happens that only one of the two objects are of great benefit to us, while the other is of no benefit to us at all. Supposing that we have an opportunity to compensate the owners, does having benefited from injustice render our obligations *more demanding*, such that we *owe more in compensation* to the owner whose stolen object we have benefited from? Alternatively, supposing that we have the opportunity to compensate only one of the two rightful owners, does having benefited from injustice render our moral obligations *more stringent* such that we have moral reason to *compensate one over the other*? Anwander argues that we have no moral reason to compensate either of the owners differently.¹⁰¹

In reply, Pogge simply asserts that his intuition contradicts that of Anwander's on the matter. He writes, "But if, as I have argued, we may owe more compensation to the owner from whose object we have benefited, then it may well be that, other things being equal, we should discharge the larger of our moral debts."¹⁰² The following two passages illustrate Pogge's response to Anwander's objection that profiting from injustice does not render our moral obligations as beneficiaries more stringent and more demanding, respectively:

On your Belize vacation, you have been involved with four others in organizing a spectacularly successful beach party with fireworks. You are in charge of running the wet bar for your own account and, after all expenses are paid, are looking at a

¹⁰¹ Anwander, 44.

¹⁰² Pogge, "Reply to Critics," 71.

\$600 surplus. There was a slight mishap at midnight, when risky fireworks display you five had advertised and prepared misfired and destroyed a small fishing boat on which some very poor local families depend for their livelihood. Eager to attract continued tourism to the area, the local authorities are turning a blind eye. Nonetheless, each of you five organizers has a moral obligation to pay one-fifth of the \$850 needed to replace the boat. But your obligation, I would think, is more stringent than that of the other four. It is wrong for them to fly home without paying, but more wrong for you to do so with your tidy party profit.¹⁰³

Suppose you pay your \$170 share of the damage, but three of your friends do not. Here one may perhaps say of your remaining friend (who paid) that she has done all she was morally required to do. But one cannot say this of you, I think, if you fly off with your remaining \$430 surplus, leaving the the poor families with a \$510 loss. If three of your friends refuse to pay, you should hand over your entire surplus to the poor families. You have a negative duty not to profit from your beach party with risky fireworks when doing so means that other, innocent parties are harmed by it.¹⁰⁴

Pogge's conclusions strike me as deeply counterintuitive. For it seems that, in both cases, although I might feel a stronger obligation to compensate and an obligation to pay more than my share should my friends fail to do so, this sense of obligation cannot be based on the negative duty of redress. The negative duty of redress refers to the duty to rectify whatever wrongful harms one might have caused others. Since in both cases I compensate for my share of the harms, it seems to me that I would have fulfilled my negative duty of redress insofar as I have rectified the harms that I have caused.

As a possible explanation, I suggest that the sense of extra moral obligation that one feels in a situation like that might perhaps rest on positive obligations rather than negative ones. For insofar as I have made a tidy profit, I am in a better position than my friends are in being able to help the locals who are in need. I argue that we would reach the same conclusions that Pogge reaches if we modified the example to make it such that, rather than profiting from the party, I happen to be far wealthier than my four

¹⁰³ Pogge, "Reply to Critics," 72.

¹⁰⁴ *Ibid.*, 74.

other friends. Let us modify the scenarios such that I do not make a profit from the beach party, but instead I happen to be a billionaire. Given this, I think most of us would agree that, in the former scenario, even though it might be wrong for my friends to fly home without paying, it would be more wrong for me than it is for them to do so because I am far wealthier and so in a better financial position than them to make the compensation. Similarly, with regards to the latter scenario, if three of my friends refuse to pay, I think most of us would feel that I have more of a moral obligation than my not-so-wealthy friend who has paid her share to cover the rest of the losses suffered by the locals because I am in a better financial position than she is to do so.

Positive duties are duties that rest on those with the ability to better the well being of those in positions worse-off than theirs. In both these modified cases, I acquire stronger and more demanding obligations to help on account of the fact that I am in a better position than the others to help. If what I have argued here is right, then there is a strong possibility that the real reason why one feels it is wrong to profit from injustice without compensation in Pogge's example is because of the additional obligation that one gains from having made a tidy profit and so from being in a better position than the others to help those in need. If so, then what is doing the work in generating the intuition that we have stronger and more demanding obligations than others is the positive duty to aid rather than any alleged negative duty not to profit from injustice. Therefore, in support of Anwander, I argue that Pogge's argument that profiting from injustice renders our obligations more stringent and more demanding is unpersuasive.

I have, so far in this chapter, argued that Pogge is mistaken in thinking that we have a negative duty not to *benefit* from the injustices of the global institutional order without compensation, *over and above* the negative duty not to contribute to injustice.

Following Anwander, I contend that we have moral obligations to the global poor only to the extent that we *contribute to* the upholding of an unjust global institutional order that unduly harms the global poor, and that these moral obligations are not made *more demanding* or *stringent* by the fact that we also *benefit* from the injustices.

5.2 What We Can Reasonably Be Expected To Do

My second point of criticism against Pogge hinges on the notion of what can reasonably be expected of affluent individuals. In Chapter Three, I considered the objection that we affluent individuals cannot be said to harm the global poor because we fail to meet the criteria of sufficient agency in our roles as participants of a global institutional order to count as responsible agents. In reply to the objection, I argued that the affluent individual cannot deny all responsibility for, say, the unjust policies of her government on the basis that she was unaware of her government's international economic policies and their implications. While it may be true that she should not be held morally accountable for the political decisions made in obscurity and without her consent, she cannot be completely let off the hook either. This is because she *can reasonably be expected*, given her responsibilities as a citizen, to have pushed for greater accountability and transparency in her government when she is aware of any such lack, and to hold her government responsible for whatever unjust policies they might have endorsed. I further argued that the affluent individual cannot deny all responsibility for the harms that follow from her actions by claiming that the consequences of her actions lie largely beyond her control. For insofar as the affluent individual is often in a position to avoid the foreseeable consequences of her actions by choosing to act differently, her causal involvement in causing harm to the global poor

is one that meets the criteria of sufficient agency and so also one that counts as morally problematic.

If what I have argued in reply to the criteria of sufficient agency objection is right, it seems that Pogge's conclusion that we are "significant collaborators" in the imposition of an unjust global institutional order in virtue of our participation in it is too strong a conclusion to draw. For if it is, as I have argued, the case that we are morally responsible for global poverty insofar as we *can reasonably be expected to foresee and to avoid* the harmful consequences that follow from our participation in the global institutional order, then the converse holds true as well. In instances where we *cannot reasonably be expected to foresee or to avoid* the harms that follow from our participation, it seems we *cannot* be said to have acted with sufficient moral agency to count as having harmed others in a way that renders us morally responsible.

Think of it this way: If the bungee jump operator whose client is killed as a result of a freak accident—a sudden and unpredictable gust of wind causes the client to be killed—should not be held responsible for his client's death because the unfortunate outcome was something that he could not reasonably be expected to foresee, then the same could arguably be said of the affluent individual who *cannot reasonably be expected to foresee* the harms that follow from her participation in the global institutional order. And if we think that the train driver whose train runs over some kids playing on the railway tracks as a result of an unexpected mechanical failure of the brakes should not be held morally responsible for the children's deaths because the unfortunate outcome was not something that he could reasonably have been expected to avoid, then the same could arguably be said of the affluent individual who *cannot reasonably be expected to avoid* participation in an ongoing and unjust global institutional order.

If what I have argued is correct, mere participation in the global order is not sufficient in establishing that I am responsible for the global poor. While being a participant of the global order may be a necessary condition of responsibility for global poverty, the complexities of the global institutional order are such that not everyone who participates in the global order can reasonably be held morally responsible for the harms that follow. If I have absolutely no access to knowledge of the kinds of injustices that follow from my participation in the global institutional order, such that knowledge of the harms that follow from my participation are not reasonably foreseeable, it seems that, to that extent, I cannot be said to have caused harm in a way that renders me morally responsible. Similarly, if I have no feasible alternatives to bringing about the kinds of harms that I do through my participation in the global order, such that the harms that result from my participation is not reasonably avoidable, then, again, it seems that, to that extent, I cannot be said to have harmed in a way that renders me morally responsible.

I believe that by taking into consideration what can reasonably be expected of affluent individuals, we arrive at conclusions that fall nicely in line with what Pogge wishes to argue for. For Pogge does, after all, admit that we have differentiated degrees of moral obligations towards the global poor: “I agree...that citizens who were born into an affluent family, have enjoyed an excellent education, and have a good job, wealth and influence bear more responsibility for their country’s policies than citizens with opposite characteristics.”¹⁰⁵ This is certainly consistent with our intuitions. We do not think that the janitor at the local fast food restaurant is as responsible morally for the harms that follow from his participation in the global order as the bureaucrat tasked with negotiating IMF policies. Given each their different individual circumstances,

¹⁰⁵ Pogge, *World Poverty and Human Rights*, 80.

there are some things that the bureaucrat can reasonably be expected to foresee and avoid that the janitor cannot be reasonably be expected to foresee and avoid.

Pogge's conclusion, however, does not reflect this idea of differentiated responsibility. For in holding that we violate our negative duty not to harm the global poor because and to the extent that we participate in a global institutional order that foreseeably and avoidably engenders severe poverty in the world, his conclusion seems to suggest that we all have equal responsibility in virtue of our participation in the global order. I do not deny Pogge's point that most of us in today's affluent democracies are very much well educated and secure economically and in our civil rights, have much free time and much political opportunities, and "do and can know much more about the world and the horrific poverty it contains on such a massive scale."¹⁰⁶ However, the fact that there are poor and marginalized citizens even in today's affluent democracies who are much more limited in what they can reasonably be expected to do is something that must be taken into account in our ascription of moral blame and responsibility. This is not to say that those "laid-off steel workers, janitors, and single mothers in the affluent countries" are excluded in the conversation about how we can, together, fulfill our responsibilities of citizenship (as Pogge suggests).¹⁰⁷ They certainly can and should take up responsibility for their countries' policies insofar as possible. However, insofar as this is unreasonably demanding because they are constrained by the practical limits and circumstances that they face, it would be unreasonable to accuse them of having acted wrongly pursuant to their negative duty not to harm others.

Discontinuing our participation in the ongoing global institutional order does not constitute a genuine or realistic choice for most, if not all, of us. Given this, we

¹⁰⁶ Pogge, "Reply to Critics," 82.

¹⁰⁷ *Ibid.*, 81.

have positive duties, based on our negative duties of redress, to contribute toward reforming unjust institutions and toward mitigating the harms we cause the global poor. The range of positive duties which we are committed to include activities that would likely lie outside the norms and even the laws of our society and state. These would include social, political and economic activities ranging from things like peaceful protest, to possibly revolutionary efforts such as civil disobedience. The costs of meeting our moral obligations toward the global poor may be very high—they might include facing legal penalties or a substantial reduction in our standard of living. While I think that affluent individuals can reasonably be expected to make substantial sacrifices in order to avoid causing severe harms to others in the world, to the extent that the costs of avoiding or compensating for the harms that follow from one's participation in the global order are *unreasonably* high, it seems fair that we do not count the individual as having caused harm in a way that renders him morally responsible.

The difficulty, of course, is in figuring out what counts as that which we can reasonably expect affluent individuals to foresee and to avoid, and what does not. I admit that my introducing this 'reasonably foreseeable and avoidable' clause introduces also a great deal of ambiguity to the attempt to draw up an account of moral responsibility for global poverty. However, the task of drawing any clear distinction between what counts as reasonable and unreasonable foreseeability and avoidability is a difficult and complicated one that warrants a separate discussion in another paper. By introducing the clause of reasonable foreseeability and avoidability as a relevant consideration in our moral assessment of who should be held responsible for global poverty, I seek only to motivate the idea that there is a differentiation, with regards to

the extent of our moral obligations to the global poor, that needs to be made from individual to individual, that Pogge neglects to make.

5.3 Refinements on Pogge's Thesis

I have, in this concluding chapter, argued against Pogge on two points. I have argued, firstly, that profiting from injustice does not count as a violation of one's negative duties, and secondly, that we do not always violate our negative duties when we contribute to harms suffered by the global poor through our participation in the global institutional order. It follows from this that (i) benefiting from the injustices of the global institutional order *cannot* be said to render our moral obligations to the poor more stringent or more demanding, and (ii) in instances where we *cannot reasonably be expected to foresee or to avoid* the harms that follow from our participation, we *cannot* be said to have acted with sufficient moral agency to count as having harmed others in a way that renders us morally responsible.

As I have discussed, Pogge is of the view that we are morally responsible for global poverty because and to the extent that we *participate in* and *benefit from* the global institutional order that foreseeably and avoidably perpetuates severe poverty in the world. However, in view of the two criticisms that I have raised against his argument, I argue that Pogge is wrong to claim that *all* affluent individuals who *participate in* and *benefit from* the global institutional order that harms the global poor have moral responsibility to eradicate poverty. If what I have argued is correct, Pogge should weaken his claims about the extent of our moral obligations to the global poor.

In place of Pogge's thesis that:

We violate our negative duty not to harm the global poor because and to the extent that we *benefit from* and *contribute to* the harms suffered by the global poor through our participation in a global order that *foreseeably* and *avoidably* engenders severe poverty in the world.

I propose the following amended thesis:

We violate our negative duty not to harm the global poor because and to the extent that we *contribute* to harms to the global poor that we can *reasonably be expected to foresee and avoid* when we participate in an unjust global institutional order, where an unjust global institutional order is one that *foreseeably* and *avoidably* engenders severe poverty in the world.

Whereas Pogge's thesis holds as responsible all who participate in a global institutional order that foreseeably and avoidably engenders severe poverty in the world, my amended thesis does away with benefiting from injustice as a condition for moral responsibility, while introducing the clause of reasonable foreseeability and avoidability. By introducing considerations of what individuals can *reasonably be expected* to achieve, my amended thesis takes into account what particular individuals 'should have known' and 'could have done' given their particular circumstances, such that individuals can be held as more or less responsible depending on the roles that they play in the institutional order and the particular circumstances that they are in. This refinement on Pogge's thesis allows for attributions of responsibility that are context-sensitive, and so arrives at a more nuanced account of who can rightly be held morally responsible for global poverty than the one Pogge offers.

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